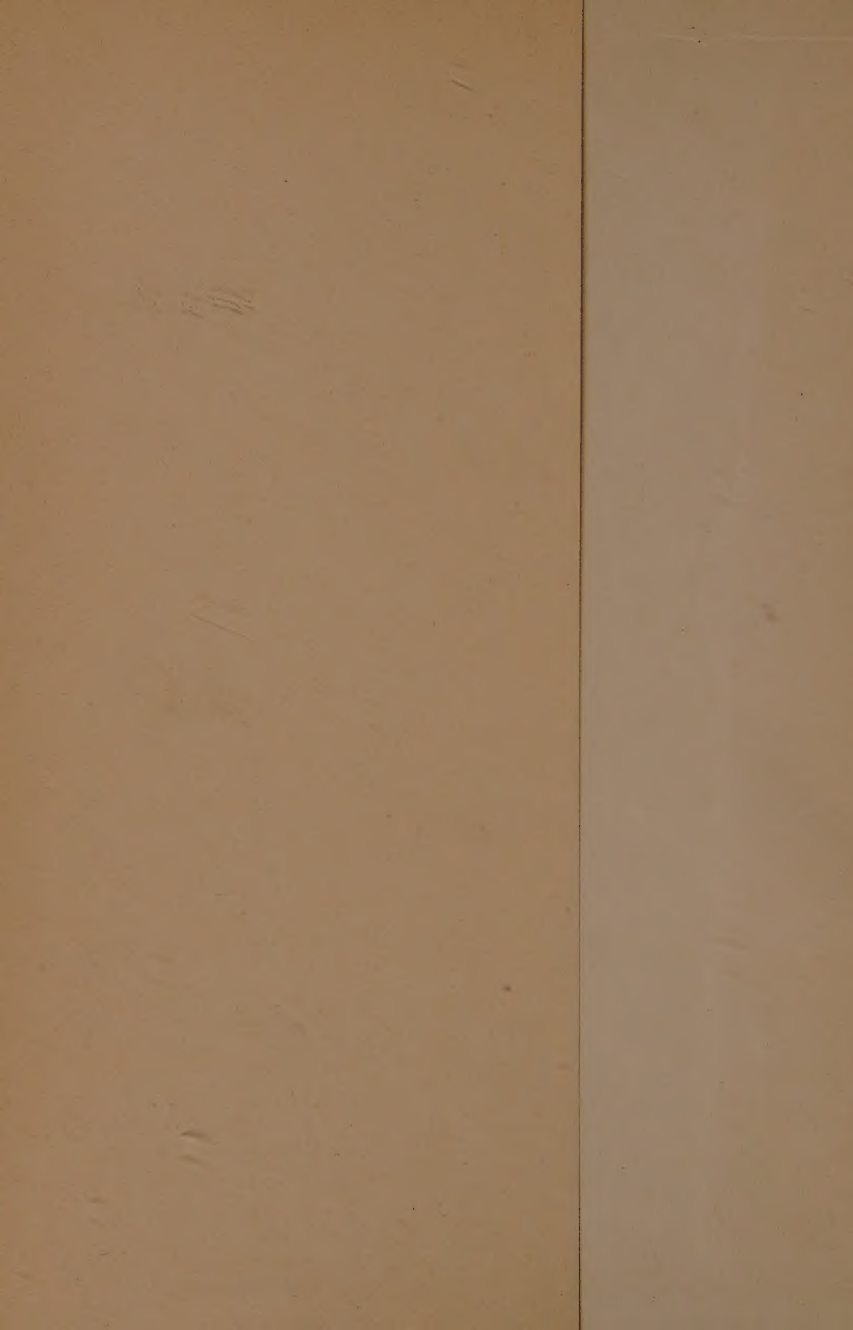


**CURIOUS CHAPTERS  
IN  
AMERICAN HISTORY**

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**DESMOND**







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IN  
AMERICAN HISTORY**

BY  
**HUMPHREY J. DESMOND LL.D.**  
MEMBER OF THE WISCONSIN BAR

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## FOREWORD

IN the byways of old world history we are not unprepared to find many mooted questions, upon which the strife of sect and party has hinged, and not a few unsolved mysteries.

But as to events in the new world, we are inclined to suppose that the times being more recent, the atmosphere of publicity clearer, the records better kept, and the popular intelligence keener, there should here be scarcely any of the puzzling doubts and picturesque problems of old world history; no fables like that of Pope Joan, no mysteries like the Man with the Iron Mask, no issues over the merits of Revolutions and Crusades, no sincere differences of opinion about the character of great personages like Mary, Queen of Scots, or Napoleon Bonaparte, etc.

Yet, for one cause and another, American history is fairly endowed with its mooted questions; sometimes due to legendary accretions as in the story of Captain Kidd, sometimes to patriotic pride as in the impression that the American Revolution was the spontaneous uprising of a united people, sometimes to insufficient evidence as in the judgment passed upon Aaron Burr, sometimes to popular misinform-

## *Foreword*

ation as in the Whitman Myth, or again to haphazard or indolent interpretations of the facts, or the influence of party feeling, or the hue and cry of a transient public emotion.

In the following pages the writer has selected for discussion a few such questions of American history, which in their time, and probably in a large degree today, deeply interest the public.

His hope is that these discussions will, incidentally, inculcate a more careful and critical judgment as to public questions, present as well as past; that there may be, first and foremost, an insistence on the accuracy of the facts and findings as a basis, in all cases, for the opinion formed or the judgment entered.

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# CURIOUS CHAPTERS IN AMERICAN HISTORY

## CHAPTER I

### A PRANK OF FAME

#### *How the Name "America" was Given to the New World*

"STRANGE that broad America must wear the name of a thief! Amerigo Vespucci, the pickle dealer at Seville, who went out in 1499 as subaltern with Hojeda and whose highest naval rank was boatswain's mate in an expedition that never sailed, managed in this lying world to supplant Columbus and baptize half the world with his own dishonest name."

Thus wrote Emerson (*English Traits*, Boston, 1856), repeating an unjust reflection that had rested for three centuries on Amerigo Vespucci. But Emerson should have known that Baron von Humboldt, in his *Critical History of the Geography of the New Continent*, published in 1837, had cleared

Amerigo Vespucci of any blame whatever in this matter. It was merely a prank of fame. And both Columbus and Vespucci were dead long before it was played. But the story is not the less interesting.

The desire to carve one's name in some high and important place is universal, from the boy who cuts his initials at a dizzy eminence, to the full-grown and full-famed Washingtons, Alexanders, Caesars, and Napoleons of history who write their names over cities and plains, and provinces in the world's geographies.

Europe, Asia, and Africa derive their names from words denoting points of the compass, although mythical persons were afterwards invented to explain these names. No son of the old world was big enough to write his name upon a continent, or even on a country of the Eastern Hemisphere. It was reserved for Amerigo Vespucci alone to blazon his name not merely over a continent, but over the entire Western Hemisphere.

It was a lapse of historic justice that the man whose name thus looms largest on the world's map, got this immortal distinction by mere accident. Yet there it is, forever writ across the whole face of the Western Hemisphere,—the curl of the initial "A" wrapped around the south pole and the tongue of the final "a" licking the base of the north pole.

The Florentine, Amerigo Vespucci (1452-1512),

was a man of good family and of some education, obtained under the tutelage of his uncle, a Dominican monk, who had been a close friend of Savonarola. He cultivated a scholarly interest in astronomy and geography and became an adept in calculating longitude and latitude. One of his hobbies was the collection of maps, one of his accomplishments, the drawing of maps. Nor were the map-makers unappreciative. About 1492 he went to Spain on some business of state, and here, contrary to Dr. Osler, he entered the pathway of fame close to his fiftieth year. He had formed a connection with a Florentine commercial house doing business at Seville. This house was interested, as a subcontractor, in fitting out the fleet of Columbus. And so Vespucci met the great discoverer and was himself led later on to make four or more voyages, acting as astronomer and pilot to various expeditions, but principally with Ojeda along the coast of Brazil (1499-1502).

Vespucci was something of a letter writer, and during the leisure of his return from his third voyage, and after his fourth voyage, he wrote letters, describing his travels, to his good friend Lorenzo de' Medici and his old schoolmate, Piero Soderini. These letters got into print without Vespucci's knowledge. Their style, as Washington Irving observes, is "spirited," and they met a desire of the Europeans of that day for mar-

velous reports of strange things in those far-off lands. So these letters were eagerly read and translated into several languages. (Sir Thomas More in his *Utopia* mentions Vespucci's voyages as "in every hand.") One Martin Waldseemüller, a professor of geography, included them in his *Rudiments of Geography*, published in 1507 at St. Dié, Lorraine.

This young German professor put on his spectacles to make a suggestion which immortalised Amerigo. "But now these parts have been more extensively explored," wrote Waldseemüller, "and another fourth part has been discovered by Amerigo Vespucci . . . wherefore I do not see what is rightly to hinder us from calling it Amerigo or America. ("America" is the feminine of the baptismal name of Vespucci, and it was argued that as the three other continents bore the names of women, it would be proper to feminize the name of the newly discovered continent.)

Amerigo or Americus was not an uncommon baptismal or Christian name in contemporaneous Italy. Thus we read of Amerigo Cavalcanti, Grand Chamberlain of the court of Naples, in 1310; Amerigo Donati, in 1333; Amerigo Strozzi and Amerigo degli Albizzi, in the sixteenth century, and so on. Perhaps the German professor pleasantly realized that America was an Italianised version of the High German *Amairich* (steadfast).

The name was euphonious and the amiable professor's suggestion "caught on," although the first map applying "America" to the continent did not appear until 1514 (after Vespucci's death), and the name America was first applied to the whole Western Hemisphere in a map drawn by the great Dutch geographer, Gerard Mercator, in 1541. (This map, by the way, if offered today by a pupil in the lower grades, would hardly entitle him to promotion, if indeed it might not earn for him the punishment prescribed for Macaulay's schoolboy.)

Ferdinand Columbus, a friend of Vespucci, had a copy of Waldseemüller's *Rudiments of Geography* in his library for eighteen years, and it contains many of his annotations; but he apparently notes no objection to the German professor's suggestion as to the naming of the new world.

Both Columbus and Amerigo Vespucci died without appreciating the importance or the significance of their discoveries; and least of all, considering the probability of their names attaching to the New World.

Columbus always called the region he discovered "the Indies," and this, for generations, continued to be the official Spanish designation. Vespucci speaks of the land he visited as "Mundus Novus," or "the New World." Cabral would christen it "Land of the Holy Cross." Other names suggested were "Atlantis," "Iberia," and later, "Colum-

bia." About the close of the sixteenth century a Portuguese writer urged that America be called "Golden India" because of the yield of precious metal, and that Asiatic India be called "Aromatic India," the land of spices.

Very soon, the injustice of applying the name of another to the land discovered by Columbus became a subject of comment and complaint. Good Bishop Las Casas, the eminent missionary (born at Seville in 1474), was one of the first to take umbrage. The resentment grew and developed into a bitter attack on Amerigo Vespucci, who being happily dead knew not what the critics were saying about him. The glooms of erudition gathered to blacken his memory. They began by urging an alibi against his statement that he first voyaged forth in 1497. Later on they raised doubts as to his other voyages. Then they questioned whether indeed he wrote the letters collected in the little travel book upon which his fame was founded. Where was the original of these letters and in what language written? This question could not readily be answered by those who defended his cause. The battle of erudite critics went on thus for three centuries; the glooms, who held against Vespucci, far outnumbering the joys who supported him. He was pilloried in historical folios much as a prototype of Dr. Cook,—a liar about his own achievements and a usurper of the rightful fame of others.

The Viscount de Santarem, a Portuguese, was *facile princeps* among the destructive glooms, who thus flocked forth to stamp upon the fame of Vespucci. Santarem declared that he with his own eyes had gone through a hundred thousand documents in the archives of Portugal without finding a scrap of evidence to sustain the story of Vespucci. Only after the turn of the nineteenth century did the cause of Vespucci begin to brighten; such weighty names as Humboldt, Harriſſe, Varnhagen, and our own John Fiske ranging themselves on his side; authenticating his narrative, glossing its lapses, and proving him wholly guiltless of act or intent to steal the fame or credit of Columbus. These scholars leading, the joys flocked forth numerously and chased the glooms off the field of erudition. One needs but refer to the monumental work of Justin Winsor (Vol. II) for a maze of critical notes and references showing how this futile controversy has raged back and forth through these hundreds of years, while the bones of both Columbus and Vespucci have been crumbling in dust. As to the authenticity and accuracy of some of the texts and translations of Vespucci's narratives there is considerable doubt. Not all of his dates are exact and some of the regions he claims to have visited cannot be identified. "The general weight of opinion has been that Vespucci did not make the 1497 voyage and that he had no share in the first dis-

covery of America," concludes the British Encyclopedia (latest edition XXVII, p. 1054). But this is not the point of the present discussion. The important thing is that "there is not a particle of evidence direct or indirect implicating Amerigo Vespucci in an attempt to foist his name on the continent," using the words of the erudite Har- risse; a judgment from which "no competent critic anywhere will be found to dissent," says John Fiske.

While exonerating Amerigo of all blame, and while agreeing that Columbus was the victim of an accident in this misadventure of justice, the ques- tion may well be raised,—How close to the acci- dental may not Columbus himself have come in win- ning his eternal fame?

John Fiske, in his scholarly work, *The Discovery of America*, says: "The remark was made long ago by Dr. Robertson that if Columbus had never lived and the chain of causes and effects independ- ently of him, had remained unchanged, the discovery of America would not long have been postponed. It would have been discovered by accident on April 22, 1500, the day when Cabral first saw the coast of Brazil. All other navigators to the western coast since 1492 were successors of Columbus; not so Cabral. In the line of casual sequence he was the successor of Gama and Dias," etc.

It remains to be said that the relations of Colum-

bus and Vespucci were always cordial. Columbus, in a letter written in February, 1505, speaks of Vespucci as his staunch friend; and the sons of the great discoverer continued to hold Vespucci in high esteem. He married a Spanish lady in 1504 and became a naturalized citizen of Spain. He was thereupon appointed pilot-major by King Ferdinand, an office which he held until his death, in 1515. His family has become extinct; but bearers of his name still reside in Florence.

## CHAPTER II

### THE CAPTAIN KIDD LEGEND

#### *A Near Pirate and his Fabulous Treasure*

THE quest for hidden treasure is a vein of interest developed in the folk-lore and fairy tales of all races. Add to this, a boy's delight in stories of the sea and adventures with pirates, and you will understand the virility of the legend of Captain Kidd and his buried hoard.

Although its legs have been taken off by the researchful historian, the story will not down; it continues to have its revival in every generation; now by way of new disclosures or new discussions, and always as a fertile theme for works of imagination. It had such a revival, as we know, in the decade 1840-50, and again in the decade 1880-90. Another revival seems due in the present decade, when the legend may perhaps effloresce in epic or grand opera.

And all this, despite the ascertained fact that Captain Kidd was nothing more than a half pirate or a near pirate; and that his loot, all told, was much less than an ordinary pirate of high finance scoops

off the stock exchange of our time, in a good half-day's business.

In the legendary lore that has accumulated, Captain Kidd was a fierce buccaneer who returned, from years of rapine and pillage over the Indian Ocean, with fabulous wealth, chests of gold ingots, bars of silver and bags of precious stones; and he hid or buried this enormous treasure somewhere along the coast from South Carolina to Maine, where it still lies buried; for Kidd was arrested and afterwards hanged before he could return to dig it up.

Smith, a New York historian of a generation ago, says that many people of his time had beggared themselves searching for Kidd's treasure. For years it was a practice of gullible adventurers to turn up ground in different parts of Gardiner's Island, a little 600 acre tract a short distance south-east of Long Island. There is a marsh near Penobscot Bay which has been shovelled over time and again. "I figure," said a native of the place, "that these treasure hunters have handled enough earth in turning up Codlead marsh to build embankments and fill cuts for a railroad grade twenty miles long." Had they hired out as day laborers, he calculated that they could have thus earned thirty thousand dollars.

Benjamin Franklin in his *Busybody Series* alludes to the activity of those treasure seekers in his

time, "insomuch that you can hardly walk half a mile out of town on any side [along the Schuylkill River] without observing several pits dug with that design, and perhaps some lately opened."

Pamphlets were published adding to the stories in circulation. And still the wonder grew. A woman under mesmeric influences described the exact spot where Kidd's vessel lay sunk in Long Island Sound, and told of the treasures buried in its hold.

As a sort of satire on these legends, a Chicago lawyer, some years ago, published what purported to be an account of a case between the heirs of Captain Kidd and the heirs of John Jacob Astor, based on the claim that one of Astor's employees had unearthed Kidd's treasure from a cave near the coast of Maine.

The story of Captain Kidd has also helped to enrich our literature with Irving's Wolfert Webber (second only to his Rip Van Winkle) in *Tales of a Traveller*, Poe's *Gold Bug*, and Stevenson's *Treasure Island*. "At every stroke of the spade he [Wolfert Webber] laid bare a gold ingot; diamond crosses sparkled out of the dust; bags of money turned up their bellies corpulent with pieces of eight or venerable doubloons; and chests wedged close with moidores, ducats and pistareens yawned before his ravished eyes and vomited forth their glittering contents."

To get at the actual facts in the Captain Kidd epi-

sode we have available the evidence offered in his trial in London, in 1701 (*State Trials*, XIV, 123); the statements contained in a pamphlet published in vindication of Lord Bellomont, then governor of New York and Massachusetts, who bore the principal part of the expense of fitting out the ship in which Kidd sailed; also some documents summarized in Vol. VI of the *New England Historical Genealogical Magazine*; not a few critical essays, of which one of the best is that by Edward Everett Hale in *Winsor's Memorial History of Boston* (ch. V) and a number of interesting monographs like Dalton's *The Real Captain Kidd* (1911).

To put the matter briefly,—in whatever nefarious business Kidd was engaged, it lasted not over three years. There is no evidence that he captured more than a half dozen ships, and only one of these was a prize of any value. His crew absorbed the lion's share of the \$300,000 of booty derived from "Quedah Merchant." Kidd, according to such facts as we are able to glean, sailed back to the Long Island shore at the end of his cruise with not much more than \$100,000 worth of plunder, and most of this came into the hands of the authorities when they laid hold of the pirate.

In coming homeward from the West Indies, Kidd is known to have gone up Delaware Bay, where he left a chest of treasure belonging to one Gillam, a bad man and a pirate, whom he had taken on as a

passenger from Madagascar. He then continued his course northward, visiting Gardiner's Island, southeast of Long Island, where he deposited a share of his treasure with the sole occupant of the Island, one Gardiner. This was afterwards taken possession of by the authorities. Gardiner thought that Kidd had consigned another portion of the treasure to a fellow pirate, who made towards New York; and there is a tradition in the Gardiner family that Kidd buried some of his wealth on the Island. He then went to Boston to square himself with the governor, and here his career as a pirate ended with his arrest.

It is also a debatable question whether Kidd was after all so bad a man. He was certainly not the blood-thirsty pirate that the ballads have made him out. He did not compel captured crews to walk the plank, nor did he swagger and revel in gory drinking bouts. It is a question whether he was not too severely dealt with when he was hanged,—whether indeed, except for the whim of fate, he might not have had a niche among England's naval heroes; for instance, alongside of Drake, who in his earlier career at least was every whit as much a pirate as Kidd, but to whom subsequent fortune gave a place in history as one of the bright particular jewels of Queen Elizabeth's reign. A gruesome rhyme, "Ye Lamentable Ballad," has served to fasten the crime on poor Kidd far more than the

travesty of a trial which he had before the array of big wigs at the Old Bailey. "My name was Robert Kidd as I sailed," says the ballad; and to show that he was an utter reprobate he is made to confess:

"I'd a Bible in my hand, when I sailed, when I sailed,  
I'd a Bible in my hand, when I sailed,  
I'd a Bible in my hand, by my Father's great command,  
And I sunk it in the sand, when I sailed."

Kidd was born in 1645, the son of a Scotch clergyman. This fact has frequently enough been recalled to sustain the vulgar prejudice that clergymen's sons turn out badly. He had made a record for bravery in some sea conflicts in the West Indies between the English and French; and in 1691 he had been publicly rewarded for his services by the colonial legislature of New York. A man of some property, we find him at the age of fifty, residing on Manhattan Island, where he had recently become the third husband of a widow; which might seem to indicate an adventurous spirit, especially as the widow lived to claim later, a fourth husband. But Kidd does not appear to have been especially anxious to avail himself of the tragic opportunity which now opened before him, as a hunter of pirates. It is clear that the office sought him, not he the office.

The piracy which England had tolerated as a business for her subjects so long as it was a nuisance to Spain only, had now become a nuisance to the trade of her own East India Company. The buccaneers were mostly English and French; the American colonies had developed such famous pirates as Thomas Tew, John Ireland, Thomas Wake, and others. Some of these sea robbers, after acquiring great fortunes, settled quietly in Rhode Island, Connecticut, Long Island, New York, and the Carolinas, where they lived undisturbed in their affluence and left a law-abiding posterity. No doubt today, among the Colonial Dames and Sons of the Revolution, there is this pirate blood. But, as Rudyard Kipling would say, "that is another story." Some of the pirates of the Indian Ocean settled in Madagascar, where in spacious white-walled tropical gardens they built themselves palaces, adding seraglios, beautified by the more favored daughters of the dusky inhabitants. Their hybrid descendants can be distinguished to this day.

The Earl of Bellomont, who was soon to come over as royal governor of New York, New Hampshire, and Massachusetts, had entered with others upon an enterprise to clear the pirates from the Indian seas and profit largely by taking possession of their ill gotten goods. My Lord Somers,

head of the Whig Junto, then in power, took a \$5000 share in the enterprise, and the King himself was to have ten per cent of the profits. In looking about for a good man to command their ship, Bellomont was recommended to secure Captain William Kidd; and when Kidd went forth on his mission it was under the great seal of England as an authorized privateer to war on the pirates and make reprisals on the French.

The Earl of Bellomont, who chiefly financed the enterprise, was to have the bulk of the plunder brought back. The articles of agreement indicate that the Earl thought he might get \$500,000 out of the deal.

Kidd claimed that his intentions were good, but that he shipped as his crew a hundred or more of the most scoundrelly rascallions that could be raked out of the slums of the seventeenth century coast towns. He crossed from Plymouth to New York in his "Adventure Galley," April, 1696, arriving at New York in July and capturing a French ship of little value on the way. In February, 1697, he arrived at the Madeira Islands and thence, rounding the Cape of Good Hope and passing by Madagascar, he entered the Red Sea, in July, 1697. Now his rascally crew had been out twelve months and had gotten no plunder. During the rest of the year they captured four small "Moorish" ships of little

value. Their fifth capture, made in January, 1698, was more important. This was the "Quedah Merchant," from which about \$300,000 was realized.

The great English Admiral, Nelson, is on record as saying that a privateer is not very much better than a pirate. In the capture of the "Quedah Merchant" the question of Kidd's guilt depended on whether or not this ship was chartered as a French vessel. And Kidd claimed that he had documents in the form of two French passes found in her cabin to prove that the "Quedah" was a legitimate prey for an English privateer under the terms of his commission. But this evidence he had, when under arrest at Boston, handed to Lord Bellomont, who had sent it on to London, where it had disappeared; and it was not available in the hour of Kidd's sore need.

Kidd claimed that his crew were mutinous and wanted him to turn pirate frankly and openly. He had to kill an insubordinate gunner named William More. Finally, when he got to Madagascar, ninety-five of his crew deserted to a pirate ship. Then, the "Adventure Galley," being disabled, he burned her and sailed in the "Quedah" for the West Indies, where he arrived in April, 1699. He left the "Quedah" at Hispaniola and sailed homeward in a smaller vessel called the "Antonio."

Meanwhile report after report came from the far

East that Kidd, instead of warring on the pirates was actually consorting with them. And so, on formal complaint of the East India Company (August, 1698), he was himself authoritatively declared a pirate. This fact he learned, to his great surprise, only on reaching the West Indies (April, 1699). At once he sought to get in touch with his partner, Lord Bellomont, then sojourning as royal governor in Massachusetts. The latter inveigled Kidd to Boston and placed him under arrest. Bellomont was anxious to save himself from all seeming complicity in the piracies of Kidd by a display of great zeal in punishing the offender. A great furor had now arisen in England over the whole transaction. The Tories made capital out of the episode, and Lord Somers, as a leading Whig, was impeached before the House of Lords; but not convicted. The political and partisan situation, however, seemed to demand a victim, and this unhappy lot fell to Kidd. He had been sent to London in 1700, and his trial came on during the following year. At that particular epoch in the English criminal law, the accused except in trials for treason, was not entitled to counsel, either in the matter of producing evidence of his own, examining adverse witnesses, or addressing the jury. In this situation and thus disadvantaged, Kidd was railroaded to Execution Dock (May 23, 1701). He did not meet his fate, alto-

gether, as it was piously written of another highwayman of the time: "his heart filled with confidence in the mercy of his Heavenly Father, but on his face a look of deep disgust." At the end, Kidd rejected the religious consolations of the world that had treated him, as he felt, with such scant justice.

## CHAPTER III

### THE COLONIAL IRISH

#### *The Largest of the Colonial Migrations*

ABOUT the year 1700, the several American colonies, save Georgia, are duly established and the impression left by the average school history is that we are now all here. The total population of the colonies at this time is usually estimated at 250,000, exclusive of Negroes. But, as a matter of fact, we are only at the beginning of a more numerous and accelerated tide of colonization, which, by 1775, has increased the American population tenfold, to 2,500,000. The reader of the average text book gets an impression that the colonists are, with the exception of the Dutch in New York and the Swedes in Delaware, almost entirely English. This is because the story of American colonization is tapered to an untimely end with the year 1700.

Later, the student, looking over the names of the fifty-six signers of the Declaration of Independence, finds that at least eight of them are of Irish birth or ancestry. And among the fifty-four

framers of the Federal Constitution, in 1787, there are seven Irish-Americans, four of them born in Ireland. Obviously, the goodly delegation of men of Irish ancestry in these representative bodies indicates a proportionate strength among the rank and file of the population.

The impression is strengthened by the records of the Revolutionary War. There were twenty Revolutionary generals of Irish birth or ancestry; among them: Gen. Montgomery, who fell at Quebec; Gen. Stark, who won the battle of Bennington; Gen. Sullivan, who revenged the massacre of Wyoming, Gen. Wayne, who captured Stony Point; Gen. Moylan and Gen. Fitzgerald of Washington's staff; Gen. Lewis, his close personal friend; Gen. Butler, Gen. Shea, Gen. Knox, Gen. Hogan, Gen. Kelly, and Gen. Dooley. And Commodore Barry, born in County Wicklow, Ireland, is spoken of as "the Father of the American Navy."

Because the colonial Irish were so largely a frontier element, they furnished more than their proportion to Washington's army. They are variously estimated as constituting from one-fourth to one-half of the rank and file. The testimony of Joseph Galloway and Generals Lee and Robertson before committees of the British Parliament, supports the higher estimate.

Such facts justify the inference that a very large immigration must have reached our shores from

Ireland during the period, 1700-75. John Fiske, an American historian of New England ancestry, and therefore without any racial motive to exaggerate herein, says that this immigration from Ireland is scarcely of less importance than that of the Puritan or the Cavalier (both of which it exceeded numerically): "Of all the migrations prior to the days of the steamship, this was the largest in volume." In two years, 1773 and 1774, more than 30,000 immigrants from Ireland landed in America—a number far exceeding the entire Dutch colonization of New York. Altogether, between 1730 and 1770, he thinks that half a million people were transferred from Ireland to America. (*Old Virginia and Her Neighbours*, II, 456-61.) And this Irish element formed at the beginning of the American Revolution, one-sixth of the population. (*The Dutch and the Quakers*, II, 413.)

This pre-Revolutionary migration from Ireland reached every American colony. First it turned to New England, where it formed some seventy settlements, and to New York, where it established itself in forty communities. But its chief direction was towards Pennsylvania, where it broke ground in over a hundred new places, particularly in southwestern Pennsylvania; and thence southward through Virginia and the Carolinas, wherever the land was good, for its tastes were predominantly agricultural and its spirit, a pioneer hardihood.

As leading to a better understanding of the importance of this immigration, there was established, in 1889, the Scotch-Irish Society of America, whose studies and publications, however, also emphasize the claim that this colonization was almost exclusively the achievement of the Ulster Presbyterians. That this point of view, though enthusiastic, is not entirely balanced, may be judged by some chapter headings in Hanna's "The Scotch-Irish":

"New England Not the Birthplace of American Liberty."

"American Ideas More Scotch than English."

"The term 'Scotch-Irish' is peculiarly American," says Hanna (ch. I). And he quotes Rev. John S. McIntosh, of Philadelphia, one of the leaders of the Scotch-Irish Society, as saying: "Our American term, the Scotch-Irish, is not known even in Ulster—the term known in Britain is Ulstermen." "The Puritans and the Quakers generally spoke of them as Irish," says Hanna. "The term Scotch-Irish came into general use only since the Revolution," and the Scotch-Irish Society applies it to "lowland Scotch Presbyterians, slightly hibernicised."

As moderating and joining issue with the Scotch-Irish view (and so helping the truth of history, as all discussion does), there quickly came into being also the "American Irish Historical Society" (1897), whose publications (particularly O'Brien's *Hidden Phase of American History*) advance the claim that

at least a good half of the pre-Revolutionary Irish immigration came from the other portions of Ireland, which were also suffering from British misrule.

The first inquiry suggested is: If the stream of immigration from Ireland (1730 to 1770), was as great as 500,000 (John Fiske's estimate), was the alleged reservoir of population, the Scotch-Irish of Ulster, anywhere large enough to give rise to, or sustain, such an outpouring?

The plantation of Ulster by the lowland Scotch began in 1611. It was a colonizing enterprise, intended to garrison the land with a population loyal to England; and its growth was gradual. In 1659, Sir William Petty estimated the population of Ireland at 500,091. He finds about one-fifth of the population, or 103,921, residing in Ulster, of whom 63,350 are Irish and 40,571 English and Scotch. The *British Encyclopedia*, ninth edition (which is fuller on the subject of Irish population statistics than the later editions), furnishes us these subsequent estimates of the population of Ireland: 1695, 1,034,102; 1725, 1,669,664; 1760, 2,317,384.

In the census of 1821, 1831, and 1841, Ulster has one-fourth of the population of Ireland. After the famine of 1845-47, with the relatively larger emigration from the other Irish provinces, Ulster counts one-third of the Irish population. Assum-

ing that prior to 1821, Ulster contained one-fourth of the population of Ireland, we may, on the basis of the figures of the British Encyclopedia, estimate her population in 1695 as 260,000, in 1725 at 425,000 and in 1760 at 600,000. What proportion of these were Scotch or Scotch-Irish? We will let C. A. Hanna, who presents the case of the Scotch-Irish in America, dictate the proper percentage:

"In 1891, the total population of the province (of Ulster) was 1,619,814, of whom 45.98 per cent are classified in the Census Report of Great Britain as Roman Catholics; 22.39 per cent as Episcopalians, and 26.32 per cent as Presbyterians: . . . the Roman Catholics represent approximately the ancient Irish element, the Episcopalian Church the English or Anglo-Irish, and the Presbyterians the Scotch or Scotch-Irish." (*The Scotch-Irish*, ch. xii.)

Let us, however, figure the Scotch-Irish at 30 per cent of the population of Ulster at the time (1700) they begin emigrating to America. Then the Scotch-Irish reservoir in Ulster would appear to be in 1695, 78,000 people; in 1725, 121,000 and in 1760, 180,000.

Now it seems utterly impossible that from a city of 121,000 there could begin to flow an emigration that in forty years would amount to 500,000 and yet leave 180,000 people remaining. The miracle

of the loaves and the fishes is not re-enacted in this manner.

Even if such drain was upon all Ulster which, about 1700, contained some 300,000 people, it would leave the province depopulated. Nevertheless, Ulster seems to have increased equally with the other Irish provinces in population (1700-75), notwithstanding the Scotch-Irish emigration.

The Scotch-Irish plantation of Ulster, after being fostered by the English government for nearly a hundred years, suffered a singular reversal of favor, beginning with 1698, when its woollen industry was ruined by legislation prohibiting the export of that product. A few years later came the Test Act, virtually excluding Presbyterians from all civil offices. This started the exodus of the Scotch-Irish to America. "For several years the emigration from Ulster amounted annually to 12,000," says Lecky. "They went," he continues, "with hearts burning with indignation, and in the War of Independence they were almost to a man, on the side of the insurgents."

If the Ulster Irish Presbyterians had good reasons in their wrongs and disabilities to emigrate to America, the greater body of their neighbors, the Irish Catholics of every province, had even more urgent reasons. They were, in fact, already going

away like flocks of wild geese, before the Ulster exodus started. They fed the armies of Europe and they filled the emigration ships leaving every Irish port for America. O'Brien in his *Hidden Phase*, has dwelt in detail on the sailing of the emigrants, not alone from the Ulster ports, but from all the other exits along the Irish coast. He goes to the files of Philadelphia newspapers covering the busy immigration years, 1771-74, and finds 576 sailings of vessels between Philadelphia and Irish ports, 247 of these from northern ports and 329 from southern Irish ports (where the emigrants would more naturally be southern Irish). The New York as well as the Philadelphia custom house registers, 1767-79, show about the same proportion (pp. 287-8), forty-five per cent from the Ulster ports, fifty-five per cent from the southern ports.

At various times, especially after 1720, we find Colonial opinion apprehensive over the great number of Irish papists now arriving, "an evil which will sensibly affect the people of this Province." The Episcopalian clergy of Maryland addressed a letter on the subject to the authorities in England. In 1728, Pennsylvania considers legislation "to prevent the importation of Irish Papists," but the regulations are evaded.

Froude (*The English in Ireland*, Vol. II, p. 126), discussing the large emigration to America in

1773, says: "The south and west of Ireland were caught by the same movement and ships could not be found to carry the crowds that were eager to go."

The personnel of the Irish-American leadership at the Revolutionary period seems to bear out the impression that it was an all-Ireland immigration, not a sectarian or Ulster immigration. Of the eight men of Irish birth or ancestry who signed the Declaration of Independence, five were southern or non-Ulster Irish: Carroll (Kings Co.); Lynch, (Galway); Read, (Dublin); Smith, born in Dublin, and Thornton, born in Limerick. Of the seven delegates of Irish ancestry at the convention which framed the Constitution in 1787, five were of southern Irish stock: Pierce Butler, George Read, Charles Carroll and Daniel Carroll and Thomas Fitzsimmons.

The roll call of Irish officers in the Revolutionary army will, so far as birth places and ancestry may be traced, make a like showing. Gen. Sullivan's grandfather was born in Limerick. Gen. Butler was born in Dublin, Gen. Shea in Meath, Gen. Moylan, in Cork, Commodore Barry in Wicklow.

O'Brien in his *Hidden Phase*, furnishes a list of over twelve hundred officers with Irish names in the American armies under Washington. This roster is a fair exhibit of the all-Ireland character of

the Irish immigration of the time. Among the list are ten each of Barrys, Bradys, Doughertys, Fitzgeralds, Hogans, Lynches, Murphys, McGuires; 12 O'Briens, 14 McCarthys, 16 Burkes, and 30 Kellys or Kelleys. These are not Scotch-Irish, but rather south Irish names.

In 1737, on St. Patrick's Day, a number of merchants at Boston, describing themselves as "natives of Ireland or of Irish extraction," formed the Charitable Irish Society, which has continued to exist to this day. The Friendly Sons of St. Patrick was organized at Philadelphia in 1771. It was "composed, in most part, of men of fortune," including also such Revolutionary generals as Hand, Moylan, Butler and Wayne (whose grandfather fought under William of Orange at the Boyne). The *New York Gazette* of March 20, 1776, notes the celebration of St. Patrick's Day in that city, "ushered in at dawn with fifes and drums." "If," says a speaker before the American Irish Historical Society (1898), "these people were Scotch, 'slightly hibernicised,' why did they, on their arrival in America, organize 'Irish Societies'—why did they celebrate St. Patrick's Day rather than St. Andrew's Day?"

The national festival of Ireland was regularly celebrated in the Continental Army, Washington at times taking note of the day in his general orders. The "Pennsylvania Line" was so largely Irish in

its composition that General Lee of Virginia, thinks it should be called "the Line of Ireland." It is to this body obviously that Colonel McLane refers in a story, reproduced in the *Collections of the Pennsylvania Historical Society* (Vol. I, p. 141):

When Washington and his army lay at Valley Forge in 1778, some of the Pennsylvania Germans made a "Paddy" and displayed it on St. Patrick's Day, to the great indignation of the Irish in the camp. They assembled in large bodies under arms, swearing for vengeance against the New England troops, saying they got up the insult. The affair threatened a very serious issue; none of the officers could appease them. At this, Washington, having ascertained the entire innocence of the New England troops, rode up to the Irish and kindly and feelingly argued with them, and then requested the Irish to show the offenders, and he would see them punished. They could not designate anyone. "Well," said Washington, with great promptness, "I too, am a lover of St. Patrick's Day, and must settle the affair by making all the army keep the day." He thereafter ordered extra drinks to every man of his command and thus all made merry and were good friends.

Would a rank and file composed of Ulster Presbyterians be thus sensitive, or take so seriously a slur on St. Patrick or his nation?

The pre-Revolutionary Irish immigration named

many of its settlements in the original colonies after Irish home towns or with Irish family names, but the south Irish place-names thus given are more numerous than the Ulster place-names. There is Athlone, N. C.; Avoca, N. Y.; Avoca, N. C.; Baltimore, Md.; Clare, Va.; Cork, N. Y.; Cork, W. Va.; Dublin, Ga.; Dublin, N. H.; Dublin, N. C.; Dublin, Va.; Ennis, W. Va.; Galway, N. Y.; Limerick, Me.; Limerick, N. Y.; Limerick, Pa.; Waterford, Conn.; Waterford, Me.; Waterford, Vt.; Waterford, Pa.; Waterford, Va.; Wexford, Pa. There are more Dublins than Belfasts and more Waterfords than Derrys.

## CHAPTER IV

### THE QUEBEC ACT

#### *A Stroke of Statesmanship which held an Empire to the British Crown*

WHAT was long foreseen, at length happened: France, though more populous than England, was a feeble colonizer. She had peopled her share of the North American continent with scarcely one hundred and fifty thousand settlers, while England in the same stretch of time had planted a million and a half on the Atlantic seaboard. In the final clash of forces, French dominion was completely eliminated.

French statesmen consoled themselves with the theory that now the English colonists, no longer fearing the French and Indians, would cease to regard the support and protection of the mother country as important. The removal of French dominion in North America would thus ultimately lead to the independence of the English colonists. This was the view of Turgot, Vergennes, and others.

However debatable this view, it is remarkable



The Act in its final form relieved Catholics from all tests whatsoever, except the oath of allegiance. The clergy were allowed to continue in full freedom, their forms of worship and to claim "their accustomed dues." French legal procedure was to govern civil causes, and English law, criminal proceedings. The legislative council was to be appointed by the Crown, and the boundaries of the province were extended so as to include not only all Canada, but the territory now embraced in Michigan, Wisconsin, Illinois, Indiana, and Ohio.

An American historian, Hildreth, thinks that the Quebec Act was designed "to prevent the newly acquired provinces from joining the other colonies in the existing discontent." That motive may have smoothed the pathway of its passage through Parliament, especially as it was introduced immediately after the passage of the four retaliatory Acts (April, 1774), whereby Parliament sought to punish Boston for the Tea Party outrage (Dec. 16, 1773). But having in mind the genesis of the Quebec Act and that its provisions were virtually in force long before the trouble with the colonies became acute, we are not to ascribe its statesmanlike quality wholly to that motive.

Largely because this Act was associated so closely, in the date of its passage, with the Boston Port Bill and the other retaliatory acts of the same session, it came at once to be an added grievance to the col-

onies and so to be specified later in the Declaration of Independence.

What was regarded as the virtual establishment of the Catholic Church in the province of Quebec, provided for in the Act, was directly in consequence, as we have seen, of the stipulations of the Treaty of Paris (1763). This liberal and tolerant provision was resented by the more fervid Protestant element in the colonies. John Jay, who framed the address of the First Continental Congress to the people of England, included an unfortunate protest against this provision. The feature of the Quebec Act which most touched the interest of the colonists was the enlargement of the boundaries of the province. These boundaries were extended so as to include all of the Northwest Territory north of the Ohio River and west to the Mississippi, in defiance of the territorial claims of New York, Connecticut, and Massachusetts. Taken in connection with the retaliatory law, depriving Massachusetts of her charter of freedom, the scheme of government outlined for the new Quebec province was felt by the colonies to foreshadow arbitrary governments in preparation for themselves. The more deliberate statement of the Declaration of Independence confines its criticism of the Quebec Act to these phases: "Abolishing the free system of English law in a neighborhood province, establishing therein an arbitrary government and enlarging its boundaries so as to render

it at once an example and a fit instrument for introducing the same absolute rule into these colonies.”

As a matter of fact the Quebec Act did not abolish English law in Canada, as English law had never been established there. It did not establish any more arbitrary government than had heretofore existed, whether under the French or English possession, and the motive of enlarging the boundary was to regulate the fur trade as from its market.

The shrewd men who were engineering the American Revolution (one of whom, Samuel Adams, saw as far back as 1768 that independence was the ultimate goal), were careful to miss no points in the game. So when the First Continental Congress assembled in 1774, there was voted among its other actions, an address to the Canadians, urging them to send delegates to the Second Continental Congress, called for the ensuing year, and assuring them that religious liberty would not be endangered. Two thousand copies of this address, translated into French, were widely distributed in the Province of Quebec, and with considerable effect.

The Second Continental Congress (1775) early resolved to expel the British from Quebec, so as to prevent them making the St. Lawrence River the basis of attack on the colonists. The expeditions of Montgomery and Benedict Arnold came very near accomplishing this purpose. Montgomery captured

Montreal, Nov. 12, 1775. But the invaders met with little or no cooperation from the French settlers. This, after all, was the important point. Even had the attack (Dec. 31, 1775) upon Quebec succeeded, even had the Americans occupied that stronghold, it would probably have been but for a short time. Governor Carleton, in a few months more, was reinforced by the arrival of the Hessian mercenaries. With 13,000 men thus under his command, he could easily have expelled the Americans, whose total force was never more than 2000.

Had the Americans, however, won at the outset the active and general support of the French colonists, it would have been another story. But the conciliatory administration of Gov. Carleton and the guarantees of the Quebec Act held the French to peace. The American invaders found the Canadians polite but indifferent. The whole power of the clergy was exerted in keeping them loyal to the British flag. Coffin, in his discussion of "*The Quebec Act and the American Revolution*," cites authorities who allege that the clergy used the extreme measure of threatening to refuse absolution to any French-Canadians who aided the invaders.

On the 15th of February, 1776, the Continental Congress pursuing another method, resolved that a commission of three be appointed to visit Canada for the purpose of inducing the Canadians to join

the American movement. Benjamin Franklin, Samuel Chase, and Charles Carroll were so appointed. Father John Carroll, of Maryland (afterwards the first Catholic bishop of Baltimore), was invited by Congress to accompany them. Father Carroll, in a letter to his mother, is frank in admitting the failure of the mission; he found that the Quebec Act seemed to satisfy the bishop and the clergy; whereas the intolerant laws against Catholics, on the statute books of some of the colonies, and colonial denunciation of the Quebec Act, produced a disquieting and unfavorable effect.

It is not improbable that the narrow address which Jay was authorized to prepare on behalf of the First Continental Congress, may have found circulation among the clergy. One especially offensive passage in this address alluded to the religious liberty provision of the Quebec Act as follows: "Nor can we suppress our astonishment that a British Parliament should ever consent to establish in that country a religion that has deluged your island in blood, and dispersed impiety, bigotry, persecution, murder, and rebellion through every part of the world."

Lecky, in his *History of the American Revolution*, tells us that the Protestantism of the New England colonists was at this time far more fervid than that of England; that the only civic celebra-

tion general among the colonists, and arousing any enthusiasm, was the Fifth of November, the anniversary of the Gunpowder Treason plot.

Washington, in command of the colonial forces around Boston, in November, 1775, issued a general order against the usual celebration of Guy Fawkes Day, alluding specifically to the impolicy of burning the Pope in effigy at a time when the good will of the people of Canada was important to the Colonial cause.

As further exhibiting a state of public feeling with which the wiser of the conscript fathers had to deal, John Fiske tells us that there was considerable No-Popery alarm, even over so advantageous a step as the French alliance (1778). Many saw it in a deep laid design of French reconquest. A pamphlet was published (1779) with a picture of the Bastile erected in New York, and Samuel Adams, in the garb of a Dominican monk, bearing the keys.

It must also be borne in mind that the proposition of the English colonists to the French-Canadians at this time was not clear or definite enough to justify a people, fairly well treated, to join in rebellion. Even France did not espouse the cause of the colonists until after the Declaration of Independence, and then only secretly. Up to 1776, the colonial uprising had the aspect of a movement for redress of grievances rather than a war of independence. It might have quieted down if met by large measures

of conciliation. The French colonists, upon the whole, acted with prudence and sound sense, at least from their standpoint.

It was only after the victory of Saratoga (1778) that France concluded an open alliance with the cause of the American colonists. Then it might be thought that the opportunity was ripe to bring Quebec into the Revolution. In fact, General La Fayette proposed that he should be dispatched with an army, composed partly of Americans and partly of Frenchmen, to occupy Canada. Many members of Congress favored the proposition. Washington, however, in some secret letters to Congress, long afterwards published, advised against this. He feared that the French occupation of Canada might thus become permanent after the conclusion of the War of Independence. He was mistaken in this fear. Information, subsequently disclosed, indicates that the French statesmen of the time preferred to let the British hold Quebec. They felt that, in the settlement of affairs which they forecasted, British occupancy of Quebec would incline the new American Republic to continue to lean upon France as a friend. So the French fleets, fitted out to aid the American Revolution, were sent up the Chesapeake, not down the St. Lawrence.

At the end of the Revolution, the American peace commissioners put forth at the beginning of the negotiations a claim for the cession of Canada.

They found that their French colleagues would not second this claim, and it was therefore quickly dropped.

Victor Coffin, Assistant Professor of European History in the University of Wisconsin, published in 1894 (*Bulletin of University of Wisconsin* Vol. I,) "*The Province of Quebec and the Early American Revolution*" (300 pp.), which forms the most complete study extant of the genesis of the Quebec Act. In the latter pages of his treatise Professor Coffin, doubtless influenced by his Anglo-Canadian birth and education, argues his disagreement with the current view that the Quebec Act was a statesmanlike measure. The correct thing, he believes, was to place Canada on an English rather than on a French pathway of development; and so lay the basis for the political unity of modern Canada. But more probably such an attempt might have developed for Great Britain a second Ireland on the St. Lawrence and, ere this, another Federal State for Uncle Sam.

## CHAPTER V

### WAS THE AMERICAN REVOLUTION THE WILL OF THE MAJORITY?

#### *A Moot Question Between English and American Historians*

"THE American Revolution, like most other revolutions, was the work of an energetic minority, who succeeded in committing an undecided and fluctuating majority to courses for which they had little love, and leading them, step by step, to a position from which it was impossible to recede." (Lecky's *England in the Eighteenth Century*, ch. XI.)

John Fiske (*American Revolution*, ch. IV), from the American side, considers it "a preposterous theory" that "the American Revolution was the work of an unscrupulous and desperate minority." "Not one," he continues, "who is familiar with the essential features of American political life, can for a moment suppose that the Declaration of Independence was brought about by any less weighty force than the settled conviction of the people that the priceless treasure of self-government could be preserved by no other means."

Here is an issue joined between an English and an American historian, each seeming to inherit the point of view of his own country at the time that the great feud arose: English statesmen prone to minimize the importance of the colonial protest, and hearing too much of the sort of report they liked to hear about the loyalty of the colonists; the American leaders, on the other hand, realizing that events were marching their way, and more radical steps preparing, than they cared presently to make public.

As to the number of loyalists, we have many facts to warrant the opinion that they were fully a third of the colonial population.

1. When General Gage evacuated Boston, in 1776, a thousand of its inhabitants went with him to Halifax.

2. When General Howe evacuated Philadelphia, in June, 1778 three thousand Philadelphians went into voluntary exile with the British troops.

3. There was the less credible estimate that 100,000 loyalists left New York (1777-78), and settled in Nova Scotia and New Brunswick.

4. In North Carolina, a settlement of Scotch Highlanders, moved by the good treatment accorded them after Culloden, raised a force of 1600 men to aid the British.

5. When Howe was pursuing Washington through New Jersey, in 1776, he issued a proclama-

tion offering full pardon to all who would take an oath of loyalty. Six thousand Jerseymen hastened to accept the condition.

6. These were times that tried men's souls, and Washington, during that gloomy period, wrote that it would be just as easy for the British to recruit their forces from among the colonists, as for the patriotic army to enlist new men. Such was the state of public feeling. It is estimated that 25,000 colonists joined the British army during the war.

Lecky thinks that it was the adventurous immigrants, who had lately poured in from Ireland and Scotland, who ultimately bore the chief part for the colonies in the War of Independence.

One thing which must have its weight with thoughtful observers is the comparatively small army the colonists put in the field to win their independence. Washington never at any time during the Revolution had 25,000 men under arms, although the population of the colonies was over two millions. In the Boer war of 1900, a community of 300,000 had 40,000 men under arms. However, it must not be forgotten that many of the colonies held for home duty bodies of militia which must have aggregated fully 40,000 men.

Timothy Pickering spoke of Pennsylvania as the "enemy's country." John Adams declared that "New York and Pennsylvania were so nearly divided, if their propensity was not against us—that

if New England on one side and Virginia on the other had not kept them in awe they would have joined the British." "In Georgia their [the loyalists'] majority was so great that, in 1781, they were preparing to detach that colony from the general movement of the rebellion" says Moses Coit Tyler (*Lit. History Am. Rev.*, I, 298).

The loyalists themselves assumed that they were a majority of the colonists. "In nearly every loyalist letter or paper that I have ever examined," says Sabine (*American Loyalists*, p. 65) "it is either assumed or stated in terms that loyalists were in the majority."

Lecky quotes Galloway, Speaker of the Pennsylvania Assembly, as testifying that four-fifths of the colonists were against cutting the connection with England; and another contemporary, General Robertson, estimated the loyalists at two-thirds of the population.

These estimates undoubtedly exaggerated the number of loyalists. However, John Adams asserted more than once in the latter part of his life that one third of the people of the colonies were Tories; and on one occasion, mentioned the matter in a letter to his old compatriot, Thomas McKean, Chief Justice of Pennsylvania, a signer of the Declaration of Independence and a member of every American Congress from that of 1765 to the close

of the Revolution. "You say," wrote McKean in reply, "that about one-third of the people of the colonies were against the Revolution. It required much reflection before I could fix my opinion on this subject; but on mature deliberation, I conclude you are right, and that more than a third of influential characters, were against it."

Reiterating this view in 1815, Adams made the following observation: "I should say that full one-third were averse to the Revolution. These, retaining that overweening fondness, in which they had been educated, for the English, could not cordially like the French; indeed, they most heartily detested them. An opposite third conceived a hatred for the English, and gave themselves up to an enthusiastic gratitude to France. The middle third composed principally of the yeomanry, the soundest part of the nation, and always averse to war, were rather lukewarm to both England and France; and sometimes stragglers from them, and sometimes the whole body, united with the first or last third according to circumstances." (Adams, *Works*, X, 110.)

Prof. Moses Coit Tyler makes some interesting inquiries into the social status of the Revolutionary Tories (*Literary History of the American Revolution*). He concludes that "the majority of those who, of whatever occupation, of whatever grade of

culture or of wealth, would now be described as conservative people, were Tories during the American Revolution."

Among the Tories, Prof. Tyler would place a vast majority of those who stood for the commercial interests, the capital and the tangible property of the country, and who disapproved of carrying the dispute to the point of civil war. Another class of Tories was made up of people of the professional occupation, clergymen, physicians, lawyers, teachers, of whom a decided majority were against the ultimate measures of the Revolution.

One significant piece of evidence is mentioned:

"In the act of banishment passed by Massachusetts in September, 1778, against the most prominent of the Tory leaders in that State are the names of 310 of her citizens. Prof. Tyler has gone over the names, and says that this list of men denounced to exile will read almost like the bead roll of the oldest and worthiest families concerned in the founding of New England. Of the 310 men of Massachusetts so banished, more than sixty were graduates of Harvard."

There is food for reflection in the fact that this forward step in political liberty may have been taken against the judgment of a majority of the educated and conservative people of the colonies.

Probably one-third of the colonists were indifferent; and another third, Tory. The remaining

patriotic one-third forced the movement by methods and means common in all revolutions, but hardly of a kind for the approval of scholars and moralists. One of the British generals described the loyalists as habitually "timid" and the patriots as habitually "inveterate."

Long before the Battle of Lexington, the patriotic campaign was already employing intimidation as against the loyalists. The most effective step was taken promptly at the outset. This was the universal and organized proceeding of taking away arms and ammunition from all loyalists. Disarming parties went from house to house and prosecuted this work with energy and intelligence. Then followed other repressive and punitive measures against those who were "rocking the boat." A loyalist was defined as "a thing whose head is in England, whose body is in America, and its neck ought to be stretched." The boycott was everywhere a favorite weapon of the Sons of Liberty. The *American Archives* show that during three summer months of 1774, there were thirty instances of tarring and feathering, among many other outrages committed upon those who failed to show their adhesion to the growing movement. The term "Lynch law" dates from this period—a summary method of justice deriving its name from the brother of the man who founded Lynchburg, Va. (*Atlantic Monthly*, Vol. 88, page 731).

All through the Revolution, the loyalists continued to be victims of confiscatory and penal legislation. In New York where more than half the landed property belonged to the loyalists, the state received over three million dollars from these forfeited estates and another three million in personal property. England spent over thirty million dollars in relieving and rehabilitating the fortunes of the emigrant loyalists.

That the loyalist minority at the outset of the American Revolution, though calling itself the better element; and comprising wealthy merchants, college professors, clergymen of the Established Church and many of the rich land-owners, should be so completely overcome by another minority, the patriotic element, and everywhere outwitted, out-generalled and out-fought, is not, however, an unfamiliar or singular happening in the evolution of democracy. It may be variously accounted for.

The upper crust of the loyalist minority had not, at any time, sympathized with or shared in the general protest against the Stamp Act and other encroachments of the British Parliament. They were consequently in popular disfavor. But others of the loyalists and a considerable number, too, did go along with the patriotic party in the developing conflict; finding themselves, however, less at home as the drift became more and more warlike, and

finally forced to drop out when the Declaration of Independence was adopted. Thus the loyalist element had proceeded on divided lines.

The aristocratic colonists despised the leaders of the patriotic movement as pettifoggers, place-hunters, bankrupts and smugglers. They held aloof, and quite generally refrained from attending public meetings or voting for delegates to the Continental Congresses. The more reasoning loyalists followed the better policy of going with the people, but finding themselves gradually a timid minority in a movement becoming, month by month, more militant and radical. When they could follow it no longer and when they were thrown back among the more impossible ultra-loyalists, they failed readily to assimilate the ideas or unite in action with these reactionaries, whose confidence, moreover, they had forfeited and who called them "whitewashed rebels."

Meanwhile, the patriotic party was carried by the course of events to its logical sequel of independence. Nine years of agitation had trained and disciplined its rank and file in the ways and means of democratic action. They had organization and leadership. They were fired with a political fervor which dared everything. They developed an energy of initiative and execution unexampled for the times. In all these matters, one patriot was a greater potential force than three Tories.

While Washington, the dignified gentleman, and Jefferson, the political philosopher, and Franklin, the friend of humanity, and Samuel Adams and Patrick Henry, the inspiring orators marched in the foreground, there were back in the ranks rough and ready frontiersmen and boisterous and husky mechanics and yeomen of the towns, the material by which advanced men usually, in the last analysis, put over their revolutions—"peaceably if we can, forcibly if we must."

## CHAPTER VI

### THE RELIGIOUS LIBERTY AMENDMENT

#### *An After-thought of the Framers of the Constitution*

THE Articles of Confederation, (1777), which were virtually a war pact between the revolting colonies, did not touch upon the subject of freedom of conscience, or the establishment of a state religion. But Virginia and New York, in the process of making constitutions, had these matters under discussion in the intervening years, and it might seem probable that the framers of the Federal Constitution would touch upon them.

However, the Constitution, as ratified, made no mention of freedom of conscience or religious equality; nor do the reported deliberations of the convention show any reference thereto except in one instance:

It appears that in the early days of the convention, after Virginia had submitted an outline of the work to be done, a young delegate from South Carolina, Charles Pinckney, presented a draft of his own, which was immediately referred, and not

heard of afterwards. The secretary of the convention did the asinine act of burning most of the papers of the convention after it completed its work. Thirty years later, Mr. Pinckney, upon request, made from recollection, a new draft of the paper he had submitted, and James Madison embodies this in his Journal of the Debates of the Convention, published by authority of Congress, in 1839. Mr. Pinckney's draft contains the provision: "The legislature shall pass no law on the subject of religion."

Mr. Pinckney may well have had this matter in mind, because later on, during the convention, on Aug. 20, 1787, we find him moving an amendment to the effect that no religious test shall be annexed to any oath required under the Constitution. Roger Sherman, the hard-headed shoemaker from Connecticut, objected that such amendment was hardly necessary in view of the prevalent liberality of the American people. Nevertheless, Mr. Pinckney's amendment was adopted, *nem. con.* In the first session of Congress, we find this same Roger Sherman, now a member of the House, making the same objection to the religious liberty amendment; but then upon better grounds.

None of the eighty-five papers composing *The Federalist* touch upon the question of religious liberty; but not so, some of the contemporary criticisms of the pending Constitution. In Virginia,

Richard Henry Lee observed that, "when we are making a constitution for ages, and millions yet unborn," "why not establish religious freedom as part of the national compact?" The new constitution, which Gladstone afterwards (in his *North American Review* article, "Kin Beyond the Sea"), described as "the most wonderful work ever struck off, at any given time, by the brain and purpose of man," was widely criticised as lacking a preliminary "bill of rights." And in the process of its ratification, seventy-eight different amendments were proposed by the several States. Four States suggested the religious liberty amendment. New Hampshire (1788), clothed the idea as follows: "Congress shall make no laws touching religion or to infringe the rights of conscience." Virginia declared that "no religious society ought to be favored or established in preference to others." New York and North Carolina used almost identical phraseology in the same behalf. Jefferson, absent as ambassador to France during the years of the framing and ratification of the Constitution, criticised the omission of a bill of rights, and specifically the absence of a provision safeguarding religious freedom; for this was a matter that had much pre-occupied Jefferson during his activity in the state politics of Virginia, 1776-84. Jefferson was very proud of the authorship of the Virginian statute of religious liberty. It was one of the three

achievements of his career noted in the epitaph he directed to be placed on his monument (the Declaration of Independence and the founding of the university, being the others). The salient paragraph in the Virginia statute was :

*"We, the General Assembly, do enact, that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer, on account of his religious opinions or belief ; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities."*

Madison lost the opportunity of becoming one of the first senators from Virginia because of his sponsorship of the new Federal Constitution. He was elected to the House only by promising to favor the amendments proposed by the Virginia convention.

Accordingly, in the first session of Congress, we find him taking the lead in formulating these additions. Seventeen amendments were formally proposed by the House. The Senate cut these down to twelve ; and the States rejected the first two and ratified the last ten. Thus the amendment safe-

guarding, among other matters, religious liberty which passed Congress as the third amendment, became the first amendment as ratified.

The phraseology of the religious liberty guarantee, as at first proposed, was as follows: "No religion shall be established by law, nor shall the equal rights of conscience be infringed."

In the course of the ensuing debate in Congress, some members thought this language might be construed as prejudicial to religion, as established in several of the states. Madison suggested as a better phrasing: "No national religion shall be established, etc." Gerry, of Massachusetts, evidently an anti-Federalist, objected to the term "national." Sam Livermore, of New Hampshire, remembering the phraseology of the amendment proposed by his state, helped to whip the idea into its final form by the substitute: "Congress shall make no laws touching religion, or infringing the rights of conscience." As presented for ratification, this portion of the first amendment read: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The debate also dwelt, *pro* and *con*, on the necessity of the amendment. Roger Sherman maintained that as the powers of Congress are limited to those expressly granted to it by the Constitution, and as there is no power therein granted to make

laws for the establishment of religion, this amendment was not necessary. Madison did not controvert this view; but such amendments seemed proper to him because required by some of the state conventions, "which seemed to entertain an opinion that under the clause of the Constitution which gave power to Congress to make all laws necessary and proper to carry into effect the Constitution, it enabled them to make laws to establish a national religion." Daniel Carroll, of Maryland, a Catholic, developed the point of view that "many sects have concurred that they are not secured under the present Constitution," and this provision would conciliate the people to the new government more than any other amendment.

Of the thirteen States composing the United States at this time, only Virginia and New York embodied in their constitutions the idea sought to be made a Federal policy by this amendment. A majority of the States had virtual establishments of religion, and at least five prescribed religious tests for official positions. That which then went into the Federal Constitution was dictated more through fear that some sect might seek to make itself the national church, than through adherence to the principle of keeping Church and State separate. Judge Story has stated the case accurately:

"It was under a solemn consciousness of the dangers from ecclesiastical ambition . . . that it was deemed desirable to exclude from the national government all power to act on the subject. . . . In some of the states, Episcopalians constituted the dominant sect; in others Presbyterians; in others, Congregationalists; in others, Quakers. . . . It was impossible that there should not arise perpetual jealousy on the subject of ecclesiastical ascendancy, if the national government were left free to create a religious establishment. . . . Thus the whole power over the subject of religion is left exclusively to the State Governments." . . . (Sec. 1879, *Story on the Constitution*).

The United States Supreme Court in October, 1878 (98 U. S., 145), interpreting the scope and effect of the first amendment, quotes Thomas Jefferson as follows:

"I contemplate with solemn reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion or prohibiting the free exercise thereof,' thus building a wall of separation between Church and State. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see, with sincere satisfaction, the progress of these sentiments which tend to restore man to all his natural rights, convinced he

has no natural rights in opposition to his social duty."

And the court adds: "Coming as this does from an acknowledged leader of the advocates of the measure, it may be accepted almost as authoritative of the scope and effect of the amendment thus secured. Congress was deprived of all legislative power on mere opinion, but it was left free to resist actions which were in violation of social duties or subversive of good order." This was the case of *Reynolds vs. United States*, in which Federal legislation against polygamy was sustained.

The new States admitted subsequent to the adoption of the Federal Constitution, invariably copied the idea of the religious liberty amendment, and the original States also gradually came around to this policy, so that Judge Cooley, in his *Constitutional Limitations*, enumerates as not lawful under any of our State Constitutions:

1. Any law respecting an establishment of religion.
2. Compulsory support by taxation or otherwise, of religious institutions.
3. Compulsory attendance upon religious worship.
4. Restraints upon the free exercise of religion, according to the dictates of conscience.
5. Restraints upon the expression of religious belief.

## CHAPTER VII

### AN OPERA BOUFFE CONSPIRACY

#### *Burr's Dream of Empire*

THREE young men, who had fought as compatriots under Benedict Arnold, before the walls of Quebec, in 1776, came themselves, in their mature manhood, thirty years later, under a cloud of treason and conspiracy.

These men thus discredited themselves, despite great honors the young Republic had conferred on them: Aaron Burr was vice-president of the United States, Jonathan Dayton was United States senator from New Jersey, and James Wilkinson was commander-in-chief of the American army.

One day, in 1805, towards the expiration of his term as Vice-President of the United States, Aaron Burr meets the British Minister, Anthony Merry, at Philadelphia, and outlines a scheme to detach from the United States that territory west of the Alleghany Mountains, including Ohio, Kentucky, Tennessee, and all the newly-acquired dominion of Louisiana, which great area is to be formed into a new republic, with Aaron Burr as its Presi-

dent. England is to assist this project with her navy, and so divide the power of a growing rival on the Western Continent, and revenge Yorktown. Merry cordially entertained the proposition; and Burr for a time was encouraged by reports that the British ministry was favorably disposed.

Meanwhile, Burr's co-conspirator Dayton, laboring under financial embarrassments, was seeking to obtain funds under false pretenses from Spain. He approached the Spanish minister and offered for \$40,000 to tell him a great secret, to wit: That Burr was planning an expedition against Mexico, then a Spanish possession; that Burr would make Mexico an independent monarchy, with Aaron I. as king. Neither Burr nor Dayton knew at the time that their other fellow conspirator, Wilkinson, had for years been in the pay of the Spanish king for the very purpose of heading off American attacks on Spanish-American dominion. But the Spanish minister eased off the demands of Dayton with a few thousand dollars, and so kept tab on the conspiracy as it proceeded.

No doubt he enjoyed it, inasmuch as it had, despite its serious aspect, some of the elements of an opera bouffe. The first act opens with the scene laid on a beautiful island in the Ohio River, the estate of a romantic Irish gentleman named Harman Blennerhassett. Into this paradise accidentally drifted Aaron Burr on his tour of conspiracy.

He captivates the Blennerhassetts by his insinuating courtesy. Blennerhassett then becomes the babbling funny man of the comedy. He quickly discloses that he has \$30,000 which he is burning to invest in some great speculation. Burr produces the opportunity. One John Lynch saunters in through the wings with a shadowy sort of title to several hundred thousand acres in the Rio Grande country—an old Spanish land grant, loaded down with dubious conditions, but cheap at \$40,000.

Blennerhassett buys it on a first payment of \$4,000. To be sure the title is shadowy; but Burr will make it good when he is emperor of Mexico, and Blennerhassett shall be his ambassador to the Court of St. James. "Two thousand Mexican priests are already enrolled in the conspiracy." The opera has its leading lady in Theodosia, Burr's beautiful daughter, brilliant and fascinating in every act. Boats are built with Blennerhassett's money, and adventurers gather on his island, some attracted by the great land jobbing scheme, and some by the Mexican filibuster.

Burr, meanwhile, with a resourceful imagination and a daring unveracity, tangles within his net many prominent men by various and conflicting statements of what he is after. Is he a dreamer of empire or merely a jobber in land grants? Has he any settled plan or is he just an opportunist in conspiracy? Some understand that he merely seeks

to become a congressman from a western constituency, and so rehabilitate his broken-down political fortunes. Henry Clay became his partisan on this theory. Others are interested in his great land speculation. Andrew Jackson, attracted to him as a fellow duellist, aids and abets his design for an expedition against Mexico; but draws back when the notion of dividing the Union is made apparent. Burr captivates the Creole gentlemen of New Orleans by his fine manners, so contrasting with the brusque ways of their recently installed American rulers. But whether they are prepared to go as far as Burr imagines, in helping to realize his dream of empire, is a mooted question. McCaleb seems to exculpate these New Orleans French from any particular complicity: "no one can say with authority that at the crisis and afterwards their conduct was other than exemplary." (McCaleb, *The Aaron Burr Conspiracy*, pp. 237-90.)

An added comic feature is the publicity early given to the great conspiracy. Everybody talks about it, and nobody minds it much. Burr himself was criticised for his carelessness in making confidants as well as for deceiving his confederates; and Blennerhassett, when the comic opera is written, must certainly have the title of Mr. O'Blab. The western papers were printing editorials and communications, *pro* and *con*, long before Burr was

hurried to take his departure, only half prepared, for the scene of the exploit, New Orleans.

For more than a year, President Jefferson had been informed by letters and by the reports of Federal officers, of Burr's designs. The President thought that the people of the West could hardly be misled by any such project; and therefore he did not regard it as specially dangerous. Probably he was right; for when, on November 27, 1806, he finally issued a proclamation warning against a reported expedition to invade Mexico (but not mentioning Burr's name), the project fell to pieces like a house of cards. Shortly before this, Gen. Wilkinson, judging that the plot would not go through, concluded to safeguard himself by fully informing Jefferson. At the same time, he displayed great activity in taking measures to nip Burr's expedition in the bud. Had Burr's few boatloads of adventurers reached their destination at New Orleans, Burr would at once find himself a prisoner in the arms of Wilkinson.

But coming down the Mississippi, Burr heard of the treachery of Wilkinson. He feared that, once in the hands of this co-conspirator, he would be court-martialed and shot. Therefore, leaving his party, he made a quick disappearance, somewhere in Mississippi. He was not long a fugitive from

justice. Making his way through the Alabama woods, to the frontier of Spanish Florida, he was arrested, and at the end of March, 1807, we find him a Federal prisoner at Richmond.

Next is the trial scene at Richmond; among our notable state trials, second only to the impeachment proceedings against Andrew Johnson. This trial spread itself over five months, but for the purpose of our comic opera, it may be briefly noted. The partisans of Jefferson regarded it as a farce; in their view it took on a political rather than a judicial character. Burr, who had killed the great leader of the Federal party, had nevertheless in this supreme moment, the friendship of all the Federalists. Not that they hated Burr less, but they hated Jefferson more. Luther Martin, leader of the Maryland bar, whom Jefferson called "that old Federal bull dog," defended Burr, and Chief Justice Marshall, after allowing the prosecution to labor and toil in adducing its evidence, virtually freed him by ruling that the overt act of treason, of which he was accused, must be clearly one committed, when Burr was actually present. As the evidence showed that the act relied upon as an overt act of treason, to wit: the assembling of men on Blennerhassett's island to levy war, was committed after Burr was two hundred miles away, the prosecution immediately had

to abandon the case, and the jury brought in a verdict of "not guilty."

At least one oratorical reputation was born in the course of this otherwise fruitless trial. William Wirt, a young lawyer (thirty-five years of age), assisting the prosecution, made a rhetorical display over the hapless Blennerhassett, opening with the familiar sentences: "Who is Blennerhassett? A native of Ireland, a man of letters, who fled from the storms of his own country to find quiet in ours."

Wirt's purpose, in this eulogium, was to detach Blennerhassett from sympathy with Burr, and perhaps to secure him as a witness; but Blennerhassett remained, nevertheless, an adherent of the "serpent" who had ruined his paradise. The speech, however, went into the school readers, a favorite recitation with our grandfathers and fathers for fifty years after.

The failure of the prosecution against Burr led to the discharge of Blennerhassett, who had also been held for trial in the great conspiracy; and we find him, later, a cotton planter in Mississippi, until 1819, when failing fortunes led him to take up the practice of law at Montreal. Thence, he went to the West Indies, in 1822, and finally back to England, where he died in 1831. His wife returned to America, where she resided until her death, 1842.

Aaron Burr's career, as a public man, ended with the trial. He returned, some years later, to the practice of law in New York City, where he died, in 1836, aged eighty. In his seventy-eighth year he put a finishing touch to his bizarre career by a short chapter of marital infelicity with Madame Jumel, a celebrated widow, then over sixty years of age, but excusably wealthy. Always a man of desperate fortunes, Burr seems to have borne the slings and arrows of his later career with an uncomplaining fortitude. We may see in this side of his character the same qualities which, with proper moral reservations, win us to Bret Harte's hero in that greatest of American short stories, *The Outcasts of Poker Flat*.

While the judgment in the case has not been disturbed, it is a little singular that the story of Burr's conspiracy had to be somewhat reconstructed by historians nearly a hundred years later (or since 1900) because of new data, such as the long extracts from the archives of England and Spain, printed in the third volume of Henry Adams's *History of the United States*, (pp. 232-45) and also because of Walter McCaleb's industrious delving into documents bearing on the matter held in the archives of Texas and other western states.

In recent times, Burr has found some disinterested students of character, who would move for a rehearing of his case before the bar of history. It is

true that the Nemesis of popular disfavor which followed him after the duel with Hamilton was ready to put the worst construction on his western exploit. It may be represented that he merely sought to organize and lead an already existing urge among westerners towards the Mexican frontier. The summum of his guilt, as Justice Marshall intimated, may have been nothing more than a high misdemeanor—a plan to levy war on a peaceful neighboring nation; and had he lived ten years longer he would doubtless point to our war with Mexico as his justification. Perhaps then, much may be said for him, both in the spirit of justice and charity.

Indeed, many a man's career is the sport of accident; and one may here recall the language of the good old Puritan who, seeing a malefactor led forth for execution, exclaimed: "There, except for the grace of God, goes John Bradford." Burr's father was a distinguished minister, and his maternal grandfather was the famous Rev. Jonathan Edwards. He inherited the brilliant mental qualities, but not the moral balances of his ancestors; thus illustrating one of Galton's theories of heredity, that an over-supply of certain qualities in the father may be followed by an inadequate furnishing of the same in the mental or moral constitution of the son or grandson; yet, nevertheless, they are reserved to endow abundantly some later descendant.

## CHAPTER VIII

### AMERICAN PANIC PERIODS

*From 1837 to 1893*

"AT particular times, a great many stupid people have a great deal of stupid money." That is why we have panics, according to Walter Bagehot, an English economic writer.

But why are there so many stupid people at particular times, and why do they happen to have so much money? This leads us to a more plausible explanation of the periodicity of panics. After a spell of hard times, business men are conservative and careful. Then there is recovery. In a few years more, there is prosperity. Meanwhile, many of the old heads, who have been through the panic, retire. In the course of a dozen years, younger men are at the helm. Everybody is making money. It comes easy. Conservative ways are forgotten. Speculation thrives on the stupidity and lack of conservatism that prevail. There is plenty of money to invest, and it is the stupid money of careless, credulous, stupid people. So Bagehot isn't far from wrong. The crash comes.

Some writers, like Thorold Rogers, deny that there is a periodicity to panics. But ever since, in old Egypt, seven lean years followed seven fat years, the prevalent expectation is that depression must follow inflation, and cycles of falling prices ensue after decades of rising prices. In England these depressions have come, as John Stuart Mill points out, every ten years (1825-26, 1836-37, 1847, 1857, 1866, 1875 and so on). In this country our severe depressions have apparently followed twenty year intervals (1819, 1837, 1857, 1873 and 1893), although milder panics, like those of 1886 and 1907, intervene. Some observers have noticed that these crises usually come in the autumn months.

A variety of causes are assigned. Horace White finds that panics are often due to "over speculation." Bonamy Price says: "a vast outlay in new enterprises, temporarily unproductive,"—the conversion of circulating capital into fixed capital. "Over-production" is the cry of another class of financial doctors,—production unduly stimulated and which does not regulate itself to normal needs and permanent demands. Prof. Jevons ascribes panics to sun spots and their effects on harvests. Certainly, bad harvests are often fundamental causes of hard times.

The state of the currency frequently leads to panics, as in 1893, and there is also the more drastic, if rarer cause: a gradual revolution of industrial

and productive conditions. Depressions may be regarded as rests or normal recessions in the process of business and therefore not in the long run injurious. We may have depressions and escape panics. Panics have to do, not with the conditions of the country's business or industry, but with credit and currency.

It will be interesting to note the influences which brought on the more notable American financial and industrial crises, particularly those which led to periods of depressions (1837, 1873 and 1893),

The first notable financial crisis in this country occurred in 1819. It was due to speculation helped on by bad banking and currency conditions. The indiscriminate chartering of many new banks, "rag money banks," as they were called, was the beginning of the trouble. Imprisonment for debt was still at this time a recourse of creditors, and this extreme measure added to the severity as well as the picturesqueness of the ensuing stringency. Insolvency notices filled the columns of the newspapers. Thousands of laborers were thrown out of employment in New England and New York.

The panic of 1837 was so obviously preparing itself, that it should not have come as a surprise. The more immediate cause was one that is not liable to recur: over-speculation in western lands. The revenue derived from the sale of public lands in 1836, was larger than the revenue derived from

customs. But when Uncle Sam issued a notice that he would hereafter ask specie instead of bank notes for his lands, the speculators, most of whom were doing business on bank notes and borrowed money, were panic-stricken. The receipts for land sales fell from thirty-six million dollars in 1836, to less than seven millions in 1837. The banks began to suspend specie payment. The Federal Government lost \$9,000,000, which it had on deposit chiefly in western and southern banks. There were two hundred and fifty failures of business houses in New York during the summer of 1837. Adding to the calamity were bad crops in 1835 and 1837, so that America had actually to import wheat during the panic year. The ensuing hard times were felt throughout the nation, and it was not until 1842, that all the banks had resumed specie payment and the dawn of better times was assured.

This was a period of bitter political feeling, and there was a tendency to cast the blame for the panic on a variety of causes: Over-trading and the fact that Europe held a balance of sixty millions against our merchants; the great New York fire of 1835, entailing a loss of \$28,000,000; "the tampering with the currency," said Webster; and "the banks and their credit system," were denounced as the real offenders by an anti-bank convention at Harrisburg, Pa.

The panic of 1857 was not so severe, although

some of the worst days of the ensuing depression were experienced in 1859. The event which precipitated this panic, was the failure, Aug. 24, 1857, of the Ohio Life Insurance and Trust Company. Excessive railway building and attendant speculations were the chief causes. The Illinois Central, the Erie, the Michigan Central, and eleven other railways went into bankruptcy. Half the furnaces and factories of the country were idle during the ensuing winter. In New York City 40,000 mechanics were thrown out of employment. "Hunger meetings," attended by thousands of unemployed men, were held in Tompkins Square, and a menacing mob thronged into Wall Street and threatened to loot the banks.

The worst panic and hard times period in our history, began September 18, 1873, with the failure of Jay Cooke. It broke upon the country as something of a surprise, although shrewd men had discerned its monitions early in the spring.

Rhodes, in his *History* (Vol. VII, p. 41), says of the early months of 1873: "Prosperity was written all over the face of things. . . . Manufacturers were busy, workmen in demand. . . . Railroad earnings, as compared with 1872, showed a gratifying increase. Prices of commodities were high, demand pretty good. . . . The wheat crop was large, and the product of corn,

though smaller than that of the previous year, was nevertheless, fairly good. . . . Money, it is true, was high, but this was surely an indication of prosperity."

Over 24,000 miles of railway had been built from 1869-73, at a cost of \$1,700,000,000, and the market here and in Europe, was glutted with railway bonds. The balance of trade had been turning against us for some years. The waste of civil war and the Chicago and Boston fires (entailing total losses of \$300,000,000), also had their influence.

The Stock Exchange was closed from September 20 to September 30, 1873, and the device of clearing house certificates was then originated out of the desperate situation of the banks. The President of the United States hastened to New York to discuss the crisis with the financial magnates. There were more failures during the panic of 1893, but the ensuing hard times were not as intense as those of 1873-8. The tramp then makes his appearance in our industrial history. Recovery was slow. Rhodes speaks of "the grinding frugality of living" enforced. The great railway riots of 1877 were among the consequences. The commercial statistics of 1878, show more bankruptcies even than in 1873.

A party of protest, the Greenback party arose to revolutionize currency conditions, clamoring among

other things for the repeal of the legislation of 1876, providing for the resumption of specie payment in 1879. Another financial "crime" of this period, the demonetization of silver (in 1873) passed unnoticed; but it furnished food for protest in a later post-panic political uprising.

The panic of 1893 began in May, and President Cleveland, convinced that its cause lay in the depreciation of the currency due to the Sherman Silver Act of 1890, called Congress together, August 7, 1893, to provide the remedy. The House speedily did the bidding of the financial and business interests, but in the Senate, the friends of silver stood for their cause so sturdily, that the Sherman Act was not finally repealed until October 30, 1893. Meanwhile, the panic was wreaking its destructive effects throughout the length and breadth of the land. Over six hundred banks failed. Clearing House certificates were again resorted to.

In 1894, no less than 156 railway companies, operating 39,000 miles of railway, were in the hands of receivers, the corn crop turned out a failure, and wheat was selling for fifty cents a bushel. One of the picturesque episodes of the time was the march to Washington of Coxey's army of unemployed, numbering a few hundred men. On arriving at the Capitol (May, 1894), he was arrested for walking on the grass, and while he served twenty days in jail, his army dispersed. But the

Pullman strike, later in the year, was a more serious matter, with its violence, its political aspect and the abuse of the writ of injunction which it provoked. Some of the worst days of this period of depression came in 1897. Finally the gloom was lifted, and the upward turn came with the prosperity of the fiscal year, ending June 20, 1898.

The money panic of 1907 is sometimes spoken of as "the rich man's panic." There had been ten years of rising prices, which stimulated production, expansion and speculation. The San Francisco earthquake-fire of 1906 meant a great loss of capital in insurance paid out. The demand for money gradually strained the banking supply. As early as March, 1907, the banks began to contract their loans. Business men in need of funds were obliged to sacrifice good securities on a falling market. In October a number of banks, identified with speculative interests, experienced "runs," and closed their doors. Then distrust spread to the ordinarily safe banks, and there was throughout the country a general suspension of currency payments. The stringency lasted for two months; after which the situation gradually cleared up.

It left again the lesson of the inelasticity of our banking system. Three-fourths of our business is done on credit, and when credit is disturbed, the demand for cash cannot be met with the money in

the banks. Some methods for issuing additional currency must be devised. This situation was back of the greenback movement in the '70's and the silver movement after 1893.

So a monetary commission was appointed in 1908, and as a result of its studies, we arrived at the Federal Reserve banking system, enacted November 16, 1914. The national banks are organized into local and district associations, and these into a national reserve association, which rediscounts the commercial paper of the constituent banks and may issue additional bank notes to them upon deposit of approved securities.

To guard against inflation, there is a progressive tax on the issue of bank notes over and above a certain amount. This system may be further perfected, but it stood the test quite well in the severe deflation movement experienced subsequent to 1920.

## CHAPTER IX

### ANTI-MASONRY IN AMERICAN POLITICS

#### *A Mysterious Disappearance which Gave Birth to a Political Party*

THE first successful lodge of Freemasons in the New World was established in New Jersey, in 1763. Somewhat later, most of the other colonies had their Masonic lodges. After the Revolution, a grand lodge was established for the United States, more or less independent of English Freemasonry. Washington joined the Masons, and others of the Fathers of the Republic followed his example. Thomas Jefferson, however, as a matter of principle, never approved of secret societies.

The rise of an "Anti-Masonic party" in American politics was occasioned by the mysterious disappearance of William Morgan from his home at Batavia, New York, in the year 1826. Morgan was a Royal Arch Mason, who felt hurt by the omission of his name from the charter list of a new chapter about to be established at Batavia. In company with one Miller, the editor of a local newspaper, he proposed to publish a book exposing the secrets of Masonry.

The facts of the case as related in the official report of the prosecuting officer employed by the State of New York to bring Morgan's abductors to justice, are as follows (*Niles Register*, March 27, 1830):

"In the spring and summer of the year 1826, William Morgan, a citizen of this State, resided at Rochester and Batavia, but chiefly at the latter place. His occupation was that of a bricklayer and stone cutter. His family consisted of a wife and two children, and his circumstances were indigent. In the summer of that year it became known that he was preparing a work in which the obligations, secret signs and ceremonies of Freemasonry were to be published. This seems to have excited great commotion among the members of the fraternity in that vicinity, particularly among those residing at Batavia. Consultations were had among them respecting the means which should be adopted to prevent the publication of the contemplated work.

"Persuasion and advice were resorted to in the first instance and hopes seemed to have been entertained for a time that they would be effectual. These expectations, however, were soon dissipated and other means appear to have been adopted. William Morgan had been arrested on some civil suit, and had given bail. In the month of August his bail in that suit surrendered him to the sheriff of the county, and he was closely imprisoned in jail, from Saturday until the ensuing Monday. In the meantime, by virtue of some pre-

tended process, search was made at his lodgings for the manuscripts of the obnoxious publication, which appears to have been unsuccessful."

One night, in the following September, Morgan was abducted from the jail at Canandaigua and conveyed by his captors from place to place, according to a concerted plan involving relays of horses, until they reached Fort Niagara, where he was incarcerated in the stone magazine of the disused fortress. After which, so far as any one has ever heard or revealed, Cimmerian darkness settles down upon his fate; and rumor and passion supervene to wreathe their alarms and writhe their fury over the episode.

The Freemasons took the matter lightly at first; it was something of a prank, and a clever one; but the general public were more and more aroused. Public meetings were held, some of them attracting an attendance of 3000 persons; and the arrest of a number of suspects followed. Chesboro, Sawyer, and Lawson pleaded guilty, and Sheldon, who stood trial, was convicted of abducting Morgan. They were given prison sentences of one or two months. These proceedings, and the light sentences imposed, seemed collusive; and only whetted the rising public ire. The excitement, says McMaster (Vol. V), was confined to "the New

England belt of immigration"; but this was the element once inflamed by the Salem witchcraft; and the hereditary fanaticism was again astir. Rochester became the center of the anti-Masonic furor. Western New York elected fifteen members to the legislature, pledged to revenge Morgan. Soon the Governor of the State, De Witt Clinton, himself a high Mason, was offering a liberal reward for the discovery of Morgan, if alive, and if dead, for the punishment of his murderers. An act was passed setting afoot a public investigation. The Jacksonian Democrats sought to stifle the new movement, fearing its effects on the fortunes of their candidate, Andrew Jackson, who was known to be a Freemason (Past Grand Master of Tennessee).

In the legislature, Speaker Root declared (April 10, 1827): "Men are seeking to convert the subject into a political affair for the purpose of excluding the Masons from public office." Indeed, the proscription of Masons, not only as candidates for office, but also as jurymen, was openly advocated. "Masonic oaths" were published to prove that here was being attempted an *imperium in imperio*.

McMaster (Vol. V, p. 119) quotes one of these oaths as reciting: "Furthermore do I promise and swear that I will aid and assist a companion Royal Arch Mason wherever I shall see him in difficulty, so far as to extricate him from the same, whether he

be right or wrong." Needless to say this oath was repudiated by the Masons as an arrant forgery. The method of sowing suspicion against Masonry by fabricating its oaths was an adaptation of an old and recurring plan of No-Popery campaigns. Within a year there were over two dozen anti-Masonic papers published in New York. The most popular and profitable thing for a young lawyer or a young physician was to abjure Freemasonry.

Thurlow Weed (*Autobiography*, I, 302-3) speaks of "the renunciation of Masonry by ministers, deacons and elders of the Presbyterian, Methodist, and Baptist churches. The conflict, therefore, became more embittered, politically, socially and ecclesiastically, than . . . probably any other known in our country."

Meanwhile, the search for Morgan and the investigation of the attendant mystery proceeded. It was asserted that Masonic influences cast difficulties in the way. A prosecuting officer declared (*Niles Register*, March 27, 1830):

"From the members of the Masonic fraternity who still adhere to it and who consider themselves included in the warfare of which an account has been given, no assistance whatever has been received, although the occasions demanding it have been frequent. With but a few exceptions, witnesses who still belonged to

the institution have been reluctant in their attendance at court, and apparently indisposed to testify. Difficulties which never occurred in any other prosecution have been met with at every step. Witnesses have been secreted, they have been sent off into Canada and into different states of the union. They have been apprised of process being issued to compel their attendance and have been thereby enabled to evade its service."

One day in October, 1827, a corpse was found stranded on the lake shore, forty miles south of Fort Niagara. A coroner's jury returned a verdict of drowning, and the body was buried on the beach. Hearing of this affair, a Lewiston (N. Y.) committee suspected that the body might be that of Morgan. A new coroner's jury was assembled to sit over the somewhat decomposed corpse. Mrs. Morgan and many witnesses were examined, and a verdict rendered that the body was that of William Morgan. The remains were removed to Batavia and buried with solemn ceremonies. An account of the incident soon reached Canada and attracted the attention of the friends of one Timothy Monro, who was drowned by the upsetting of his boat in Niagara River, September, 1827. The description of the clothing and a bundle of tracts found in the pockets were such that the friends of Monro came to Batavia to prosecute the inquiry. The body was again exhumed, a third coroner's jury

assembled and a final verdict rendered that the corpse was that of Timothy Monro.

Out of this incident there went into our political parlance the saying: "It is a good enough Morgan until after election"; that is, although it might not be the true corpse, still it was so believed until after the votes were cast. Thus, in 1880, the Republicans lost the electoral vote of California because of the Morey letter, a palpable forgery, purporting to be a declaration by Garfield against Chinese exclusion. Circulated a few days before the balloting, it proved "a good enough Morgan until after election."

In the fall of 1827, Miller, the newspaper publisher with whom Morgan had contracted to publish the exposé of Freemasonry, bought out the book under the title, *Illustrations of Freemasonry by One of the Fraternity*. A body of seceding Masons met at Leroy, New York, in February, 1828, and declared the book to be a true account of the first three degrees of the Order. A committee was appointed to divulge and publish all the degrees of Masonry.

Millard Fillmore (afterwards President of the United States), William H. Seward, Thurlow Weed, and Thaddeus Stevens were young men of the time who made their political début as anti-Masons. Clever Whig managers sought and

largely succeeded in controlling the new furor for the political profit of their party. But it also went forward as an independent political movement. Something in the circumstances of the time favored the Anti-Masonic Party, or so fantastic a foundation for a national movement in politics had not served. The "era of good feeling" (1817-25) had grown stale and the consequent loosening of party ties permitted the growth of personal factions and self-seeking cliques. One is led to believe that on the whole the clashing of great parties on some real and well-defined issues creates a healthier political atmosphere than eras of non-partisanship and goody-goody palavers.

We need not follow the after career of the Anti-Masonic Party. The Justin Winsor historical prize was given Charles McCarthy for the two hundred pages he has devoted to it in an essay published in Vol. I (1902), of the *American Historical Reports*. The anti-Masons organized their party in ten States, reaching westward to Michigan, but not southward beyond Maryland. They had many sympathizers outside of their active adherents. The old man eloquent, John Quincy Adams, was with them. Chief Justice Marshall came on invitation to sit as a guest at their first national convention at Baltimore. They nominated William Wirt for President in the national election of 1832, and the electoral vote of one state (Vermont) was

cast for their candidate. In the following years they merged more or less with the Whigs. Former President John Quincy Adams ran for governor of Massachusetts on the anti-Masonic platform. Writing to William H. Seward, on the 17th of October, 1831, he said: "The more attentively I have observed the character of the Masonic institution as it now exists in the United States, the more thoroughly I am convinced that it is the greatest political evil with which we are now afflicted."

In 1835, the anti-Masons elected their candidate, Josiah Ritner, governor of Pennsylvania.

Henry Clay was a Mason, and in 1840 he expected the Whig presidential nomination, but he was defeated by the anti-Masons under the manipulation of Seward. They threw their strength decisively to Harrison, who was nominated and elected. Otherwise Henry Clay might have been on our list of Presidents.

Other questions of more vital concern crowded the anti-Masonic issue out of our politics after 1840. Still, only within a few decades a party calling itself the American party, with a platform antagonizing secret societies, has appeared in our presidential elections (1876-80), but in the returns its meagre votes were usually counted under the head of "scattering."

## CHAPTER X

### THE WHITMAN LEGEND

#### *The Faded Aureole of a Backwoods Saint*

A PICTURESQUE legend has grown up about a journey undertaken, October, 1842, by Dr. Marcus Whitman, a pioneer settler of Oregon, who crossed the continent, visited Washington, and, according to the story, gave such information to the political powers and produced such a wave of American immigration to Oregon that the territory was saved to the United States, and the plans of England to control and stealthily colonize it, were checkmated.

Dr. Marcus Whitman had settled near Walla Walla in the Oregon territory in 1836. He went there under the auspices of the American Board of Commissioners for Foreign Missions. His famous journey across the continent, in the fall of 1842, was undertaken in order to persuade the American Board to rescind certain action it had taken looking to the abandonment of the southern branch of the Oregon mission. Dr. Whitman was a good American, and a zealous missionary. He continued his labors, after his return, in 1843, to Oregon. In

November, 1847, he and his family were massacred by the Cayuse Indians, among whom he was laboring.

The legend which makes him a heroic and national figure, as the savior of the Oregon country, developed some twenty years after his death. It first appears in formal history about the year 1870 (*Gray's History of Oregon*).

The legend originated in the hectic writings of one of Whitman's missionary friends, Rev. H. H. Spalding, whose narrative was so picturesque and edifying that it captured the imagination of other writers. It has gone into a number of school histories, imposed itself on not a few respectable historians, and passed muster with the encyclopedias.

But in 1885, the legend was carefully and exhaustively investigated, and demolished by Bancroft's *History of Oregon*. Edward Gaylord Bourne, professor of history in Yale University, devotes 100 pages of destructive analysis to the story in his *Essays in Historical Criticism* (1906). Professor Garrison, of the University of Texas (Vol. 17, page 39, of *The American Nation*, a history published under the editorship of Dr. A. B. Hart, professor of history in Harvard), speaks of Marcus Whitman as one who by "an interesting but wholly unfounded myth is credited with the saving of Oregon from England." Professor John B. McMaster, who credited the story in his earlier

writings (*With the Fathers*), omits it altogether in Vol. VII of his monumental *History of the American People*. Professor John Fiske admits that he was taken in by what he terms "the Whitman delusion," in one of his addresses; but he has excluded it from his published writings.

The ninth edition of the *Encyclopædia Britannica* repeated the Whitman legend, but the latest edition casts it out. So revised history tends to do away with the legend. Nevertheless, some account of it will always be of interest, as illustrating how mythical tales may develop, even in modern as well as mediæval times. The picturesque narrative begins with a dinner incident which Prof. Bourne finds to be pure fiction:

Late in September, 1842, while Oregon was under the joint occupation of the United States and England, Dr. Whitman was called in as a physician to attend to a sick man at Fort Walla Walla, a trading post of the Hudson's Bay Company. Dinner was being served when news came of the safe arrival of a large colony of French-Canadians from the Red River country. All those at the dinner table were English and Canadians. They were jubilant over the news, and a young priest cried out, "Hurrah for Oregon. America is too late, and we have the country!" Dr. Whitman at once left the table, mounted his horse, and feeling that the government at Washington must be informed

without a moment's delay immediately (Oct. 3, 1842), starts for Washington, where he arrives March 2, 1843, just in the nick of time to prevent Webster from surrendering Oregon to England in exchange for some codfish rights craved by the New England States. Whitman returns to Oregon, and the tide of immigration begins to flow after him. One thousand Americans settle there before the end of the year 1843. More come the following years, and Oregon thus becomes American beyond recall.

Now the careful investigation of those who have demolished this myth demonstrates three important conclusions:

*First:* That Whitman's journey across the continent in 1842-3, was primarily for an altogether different purpose than to stir up the government to the alleged dangers of the situation in Oregon.

*Second:* That the Oregon policy of the government had been determined and formulated long before Dr. Whitman reached Washington.

*Third:* That the tide of immigration to Oregon in 1843-5 had followed from an agitation in that behalf, well under way throughout the Middle West in 1842.

Evidence of a documentary kind shows that word having reached the Oregon missions in 1842 that the American Board had resolved to discontinue the southern branch thereof, it was determined by the local missionaries that "Dr. Whitman be advised to

visit the United States and confer with the American Board" in order to get such action reversed.

Whitman left Oregon, October 3, 1842, reached Westport, Mo., February 2, 1843, visited Washington, March 2, 1843, and arrived in Boston, March 30, 1843. The journey, which may now be accomplished in five days, then required five months. At Boston, Whitman conferred with the American Board and successfully accomplished his mission. The statement of his interview, as summarized in the records of the Board, shows that he pressed many points, none of them referring to the saving of Oregon from England, none of them urging the necessity of immigration, except in order "to counteract papal efforts and influences."

It is deemed singular that no mention of Whitman's presence or activity in Washington is found in the contemporary newspapers, or in the recollections and writings of men then prominent in public life. Benton does not mention it in his *Thirty Years*, although Benton, as a leading champion of the Oregon country, must probably have been approached; nor is any mention of Whitman in Senator Linn's *Life and Speeches*, although Linn was also a champion of the Oregon country; nor is Whitman even named in Webster's *Correspondence*, or Curtis' *Life of Webster*, although the legend describes Whitman as having an epoch-making interview with Webster.

That the value of the Oregon country was appreciated by the American public long prior to Whitman's journey, is made to appear in many ways. Senator Linn's bill, providing for the extension of the laws of the United States over the Oregon territory and the granting of lands to settlers, had passed the Senate February 3, 1843, a month before Whitman arrived at Washington.

The pages of McMaster's *History of the People of the United States* (Vol. VII, pp. 286-300) may be consulted for evidence of the growing interest in the Oregon country, which prevailed, East and West, in 1841-3. Citizens of Alabama petition Congress in 1841, that they desire to settle in Oregon, and ask for armed protection. Public meetings in behalf of immigration to Oregon are held in Pittsburgh, Cincinnati, and other cities. "The Oregon fever has broken out," is an expression which occurs in a letter dated March 4, 1843, from Iowa, printed in the *New York Tribune* of April 1, 1843. Applegate and Burnett are mentioned in the papers as leaders of Oregon immigration parties converging in the spring of 1843 at Independence, Mo. Whitman caught up with this great train of immigrants on his return trip.

A disagreeable sectarian issue helped to develop the Whitman myth. The Rev. H. H. Spalding charged that Whitman's murder in 1847 was promoted by the Jesuits in resentment for his great

coup of 1843, which so effectually checkmated Rome's design to papalize the Oregon country.

We find a pamphlet in reply, entitled, *Protestantism in Oregon; Account of the Murder of Dr. Whitman and the Ungrateful Calumnies of H. H. Spalding, Protestant Missionary*, by Rev. J. B. Brouillet (New York, 1853). It appears that Father Brouillet had on one occasion saved the life of Spalding; hence the use of the word "ungrateful." The Rev. Mr. Spalding made an elaborate reply to this pamphlet, which is published as executive document 37 (Senate), Forty-first Congress, third session. Professor Bourne says:

"Nothing could more effectively catch the public ear and prepare the public mind for resentment against the Catholics than to show that Whitman saved Oregon to the United States and then lost his life, a sacrifice to the malignant disappointment of the 'Jesuits' and the Hudson's Bay Company." (Page 30, *Essays in Historical Criticism*.)

It was in the process of this controversy that the frenzied devotion of Spalding led him to develop a halo of grandiose achievement about his Protestant saint;—much as in the legends telling of the lives of mediæval saints, miracles and wonders have been interwoven by zealous votaries. Critical hagiography has done its work, but not without resentment from the pious beliefs disturbed.

One may recall the experience of the Bollandists, a company of learned Jesuits, who in the seventeenth century undertook to rewrite the lives of the Catholic saints and sift out the chaff of legend. All went well with their critical and scientific work until, in the fourteenth volume, they happened to characterize as unproven a tradition very dear to a great religious order, the Carmelites, to the effect that the order was originally founded by the prophet Elias. Immediately a great storm burst over the devoted heads of these scientific and devout students of the lives of the Saints (*Acta Sanctorum*). The influential Carmelite Order sought the condemnation of the Bollandists at Rome, and the Spanish Inquisition was persuaded to brand with the mark of heresy the entire fourteen volumes of the *Acta Sanctorum* thus far published.

Many who would still hug the Whitman delusion (preferring edification to truth), have shown a like peevishness towards the destructive cross-examinations of history.

## CHAPTER XI

### "FIFTY-FOUR FORTY OR FIGHT"

#### *A Jingo Cry of 1844*

DURING the political campaign of 1844, when the question of the annexation of Texas was a leading issue, politicians who favored annexation sought to divert Northern opinion from the apparent gain to slavery involved in adding this large slice of territory to the South, by dwelling upon the expansive prospects of the United States in the Northwest.

The boundary line west of the Rocky Mountains between this country and British America had not been laid down. What was called the "Oregon Territory" (between the Rocky Mountains and the Pacific, and extending from the forty-second parallel of latitude to fifty-four degrees forty minutes on the north) was occupied jointly by the United States and Great Britain.

After the Ashburton Treaty (1842) had determined the northeastern boundary question, the United States considered the time ripe for the settlement of the Oregon question. Tyler, in his last message to Congress, contended that the United

States had title to the entire territory included between latitude forty-nine degrees and fifty-four degrees forty minutes. In 1844, the Democratic platform declared our title to the whole of Oregon to be "clear and unquestionable." The cry from the stump was, "Fifty-four forty or fight." William Allen of Ohio is credited with the authorship of this alliterative jingoism.

The controversy was finally settled by treaty in 1846, but it will be of interest to study the circumstances under which the controversy arose.

By the treaty of 1783, the northern line of the United States was determined from the Atlantic to the Lake of the Woods, some three hundred miles west of Lake Superior. The Ashburton Treaty of 1842 cleared up certain differences as to that portion of the boundary line extending from Lake Champlain to the Atlantic. After the Louisiana purchase it became necessary to establish the boundary line between British America and the United States from the Lake of the Woods to the Rocky Mountains. This was effected by a treaty in 1818, and the forty-ninth parallel of latitude was continued west as a boundary line from the Lake of the Woods to the Rocky Mountains.

Concerning the territory west of the Rocky Mountains and north of the forty-second parallel of latitude as far as fifty-four degrees forty minutes, there was dispute. Spain claimed it as part of her

Pacific coast possessions. England claimed it principally by virtue of an agreement called "the Nootka convention" (1790), which she had bullied Spain into signing.

By this agreement, England had a qualified occupancy with Spain in the Oregon territory. American writers claim that this arrangement was abrogated when Spain and England went to war, in 1796. The claim of the United States rested, in the first place, on the explorations of Gray (1702), of Lewis and Clarke (1805), and others of her hardy pioneers. In 1819, when Spain sold Florida to the United States, she also assigned us all her rights and claims to the Oregon Territory.

England and the United States were unable to compromise their conflicting claims, so by the third article of the treaty of 1818 they agreed to occupy the territory jointly for the term of ten years. This dilatory arrangement was continued down to the year 1846, at which time the final boundary line was determined upon.

In the *Annals of Congress* for January, 1821, we find a report of a special committee of the House, on the Oregon country, in which the title of the United States is urged to all that territory west of the Rocky Mountains and south of the sixtieth parallel of north latitude.

Meanwhile, in 1824, 1826, 1843, and 1844, negotiations were had between the two countries, with-

out result, for the laying down of a boundary line. In these negotiations the United States offered to settle the matter by continuing the forty-ninth parallel of latitude west to the Pacific Ocean, giving Great Britain all of the Oregon Territory north of that latitude. England, as a counter-proposition, offered to accept as a boundary line the forty-ninth parallel of latitude as far as the northeasternmost branch of the Columbia River, and thence down the channel of that river to the sea. This proposition, if accepted, would have given Great Britain two-thirds of the present state of Washington.

In those days it took Jefferson longer to travel from his Virginia plantation to Washington than it now takes the Senator from Oregon to reach the National Capitol. Oregon was far distant territory; and it seems to have been the opinion of Jefferson and Webster that it should be left to form part of a future republic on the Pacific, an eventuality which they thought not improbable.

President Polk, in his annual message to Congress, Dec. 2, 1845, reviewing the controversy, said: "Though entertaining the settled conviction that the British pretensions of title could not be maintained to any portion of the Oregon Territory upon any principle of public law, recognized by nations, yet in deference to what had been done by my predecessors, and especially in consideration that propositions of compromise had been thrice made by two preced-

ing administrations, to adjust the question on the parallel of forty-nine degrees, and in two of them yielding to Great Britain the free navigation of the Columbia, and that the pending negotiation had been commenced on the basis of compromise, I deem it to be my duty not abruptly to break it off."

Mr. Polk repeated the offer of the forty-ninth degree of north latitude as the dividing line, without, however, adding the former proposal of free navigation of the Columbia River. "Had this been a new question, coming under discussion for the first time, this proposition would not have been made," he said. This illustrates the changing temper of the American people at the time. Between the years 1842 and 1845, settlers from the States had begun to occupy the Oregon territory. There were 3,000 Americans settled there in 1844, many of them coming, it is alleged, with the definite purpose of checkmating Great Britain. The Hudson's Bay Company, which was England's chief representative in the disputed territory, was a trader rather than a settler. The American settlers in the Oregon territory began to petition Congress for authority to organize a government. They urged that some form of local government was necessary. They met and appointed a committee to draw up a code of laws. Later on a constitution was adopted to be in force until the United States should extend its jurisdiction. In 1846 bills were

introduced in Congress to so extend jurisdiction and to establish Indian agencies in the Oregon territory.

England, seeing that settlements were deciding the question against her and that conditions indicated the expansion rather than a lessening of American demands, thought better virtually to accept President Polk's offer and so the northern boundaries of the United States west of the Rockies were determined as they now stand. James Buchanan, who was Secretary of State at the time, possessed some diplomatic experience; and he seems to have carried this matter through with more credit to himself than Webster won in the Ashburton treaty.

His offer of the line of the forty-ninth parallel, made July 12, 1845, was at first rejected by England, but only a few months later there were intimations that she would like to have us renew the offer. Our State Department (February 26, 1846) suggested that the proposition should now come from England. An agreement was soon reached and the draft of the treaty was ready even as General Taylor (May, 1846) was crossing the Rio Grande to open the Mexican War. June 10, 1846, the Oregon boundary treaty was submitted by the President to the Senate and later on ratified by a vote of 41 to 14.

There was a disposition, in certain quarters, to undervalue the Oregon country. Greenhow, a

translator in the Department of State at Washington, had, in 1845, published a history of the Oregon country, in which he alleged that not over an eighth of what was known as West Oregon was fit for cultivation. The *North American Review* for January, 1846, contained a lengthy article on the Oregon question, in which the writer deprecated the worth of the territory in dispute. He said: "West of the Cascade range is the only portion of this assumed El Dorado on the Pacific which can ever be inhabited except by hunters and their game."

The particular part of the territory in dispute was that south of the forty-ninth degree of latitude, and north and west of the Columbia River; and of this territory, where today are the populous cities of Tacoma and Seattle, an American book of travels, published in 1843, by Thomas Farnham, is quoted as alleging that "nine-tenths" of it is "a worthless desert."

Had the question been delayed longer, until the American people became better acquainted with the value of the country in question, England probably would not have fared as well as she did. But considering the status of joint occupancy, which had lasted nearly thirty years, and the repeated line of compromise offered by the United States, the cry of "fifty-four forty or fight" was rather too belligerent, and the treaty of 1846 was not an unreasonable adjustment. The case "reasonably involved a

settlement by compromise," says the eminent American historian, Justin Winsor (VII, 555).

In the final discussion of the issue, the Southern Democrats joined with the Whigs for compromise on latitude forty-nine. Webster declared for this line, and so did Berrian of Georgia, and even Benton of Missouri. Stephen A. Douglas, Lewis A. Cass, Andrew Johnson, and Allen G. Thurman still insisted upon fifty-four degrees forty minutes; and Senator Hannegan of Indiana, turning upon the Southern Democrats, said: "If Oregon were good for the production of sugar and cotton, . . . its possession could at once be secured." The Southern Democrats realized that "one war at a time" was enough; and they thought it good policy to clear the decks for a war with Mexico by getting this embarrassment with England out of the way. Senator Benton, speaking derisively after the conclusion of the matter, said: "Oh, mountain, that was delivered of a mouse, thy name shall hereafter be fifty-four forty!"

John C. Calhoun, though favoring the treaty, had wisely intimated that the better policy for the United States would have been delay. "Time," he said, "would have effected everything for us." The remark might be applicable to several other of our treaties with Great Britain, wherein we have been needlessly concessive. A flagrant instance was soon (1850) to illustrate this, *viz*: the Clayton-Bulwer

Treaty, which has "generally been regarded as the most serious diplomatic blunder in our history," says Foster, in *A Century of American Diplomacy* (page 326).

## CHAPTER XII

### A FATEFUL FRACTION

#### *The Basis of a Sectional Equilibrium*

THE theory which regards the Constitution as a "compact between the States" may have been true in a formal way; but the essential condition, was not a union of States, but a treaty of alliance between two great sections having opposite civilizations and diverse interests. And this condition, and not a theory, everywhere confronts us in our survey of the first century in American politics.

The theory figured on both sides of Mason's and Dixon's line—the Hartford Convention being no less extreme a manifestation of States' rights than the episode of nullification. But the condition never fluctuated nor lost its consistency or purpose. It continued from the first to

"Divert and crack, rend and deracinate  
The unity and married calm of states."

New issues were sought from time to time, but they were merely temporary diversions. There

was the trivial controversy, which for many days, went on in the convention of 1787, between the larger and the smaller States. Even then, the greater question was waiting. The absurd fear of the smaller States that a closer union would result in their absorption by the larger commonwealths being allayed, Madison admonished his colleagues that the States were divided into different interests, "not by their difference in size, but by other circumstances; the most material of which resulted partly from climate, but principally from the effect of their having or not having slaves. It did not lay between the large and small States. It lay between North and South."

Having satisfied the smaller States with equality in the Senate, the convention proceeded to its vital act of compromise, by establishing an equilibrium between the sections—equalizing their strength in Congress and in the electoral college.

No explanation has ever been offered as to how the particular fraction, " $\frac{3}{5}$ ," was selected in determining what weight the number of slaves should have in the apportionment of representation. The motion came from a New England member. Many years afterwards the question was put to Madison in a Virginia assemblage, but he preserved silence. It remains among the curious mysteries of that historic convention which have never been cleared up. A plausible explanation is furnished in a pamphlet

entitled, *The Lost Principle*, by "Barbarossa," published at Richmond on the eve of the Civil War. The anonymous writer, supposed to be Robert Scott of Virginia, argues that " $\frac{3}{5}$ " was chosen in order to preserve the equilibrium of the sections; that the South would never have consented to it on any other plea. If the Negro at the South had counted as a whole man and not as three-fifths of a man, the slave-holding States would have possessed a clear majority in the first electoral college.

The balance became apparent in the census of 1790. The population of the Northern States was found to be 1,977,000; that of the Southern States, 1,952,000. The admission of Vermont, Kentucky, and Tennessee established a perfect balance in the Senate—eight slave-holding States and eight free States, making up the Union at the beginning of the nineteenth century.

Federalism and Anti-Federalism proved a transitory issue—the great fact of sectionalism asserting itself with a dominant earnestness, after Hamilton had broken with Madison; and after the pregnant controversy of the Secretary of State with the Secretary of the Treasury, across the council boards of Washington's first cabinet. It had cropped out even in the selection of that cabinet; it came forth aroused at Hamilton's fiscal proposals; it manifested itself in Southern objection to the admission of Vermont, and in Northern objection to the admission of Ken-

tucky. By the end of Washington's term, the lines were fully and sharply drawn; and much to the distaste and displeasure of the Father of his country. In his farewell address, Washington expresses serious concern that "ground should have been furnished for characterizing parties by geographical discriminations," regarding it as a serious disturbance to the Union. Such "discriminations" appeared in a marked degree when the task of choosing his successor was reached. New England gave her solid vote to John Adams. The South cast six-sevenths of her vote for Thomas Jefferson. Down to 1840, a like sectional proceeding was rehearsed in every presidential contest.

It would be repeating familiar history to describe the frequent sectional clashes that ensued down to the eve of secession. Both North and South were thoroughly alive to the sectional bearing of every important question. Nobody doubts the statesmanship of the Louisiana purchase; yet that broad and praiseworthy stroke of patriotism was bitterly disliked at the time, and the hostility came wholly from New England, jealous of the chance for increased prestige which this new territory gave the South. The Hartford Convention of 1812 was the culmination of New England's sectional feeling. Open threats to "cut the connection" with the major part of the Union and secret plottings to invite Canadian and British alliance are evidences of the

rampant disunionism there prevalent. The South and the West never forgot the attitude of New England during the war of 1812; and we see the force of reproach which that record had, in Hayne's debate with Webster, twenty years later. That famous debate, and the strained relation smoothed by the Missouri Compromise, in 1820, indicate how irrepressible a fact sectionalism had become.

Up to 1850, we have the phenomenon in our political history which has been spoken of as "the twin birth of States." Every additional free State was followed by the admission of a slave State in order to "preserve the balance." The sectional leaders began looking anxiously to the future, and as the contest grew in intensity, the South bitterly chided itself for acquiescing in the Ordinance of 1787, which forbade slavery in the Northwest Territory, and in the Missouri Compromise of 1820, which shut out slavery north of the thirty-sixth parallel. The annexation of Texas and the Mexican War were distinctively Southern measures, planned by the soured statesmanship of Calhoun, to redress the balance and give the South new room for more State-making. The Northern Democracy came into the party convention of 1844 with a candidate and a platform adverse to the Texas policy of the South; but the South had its way. In 1846, the United States receded from the position the administration party had taken in the Oregon dispute with England.

The forty-ninth parallel was accepted as our northmost boundary instead of  $54^{\circ} 40'$ ; territory sufficient to carve out three Northern States was surrendered to Great Britain with the connivance of Southern sectionalism.

At the end Calhoun was badly deceived in the results expected from the Mexican War. These results eventually strengthened the free States, and gave them their final preponderance in the United States Senate. The admission of California, in 1850, placed the North one State in the lead for the first time since the days of Washington. The Southern leaders began to perceive that the equilibrium of the sections was to be an impossibility in the future, and the plan of secession was broached as the ultimate recourse.

Mr. Calhoun, in his speech of March 4, 1850, argues that the Union was endangered by reason of a wide-spread discontent among the people of the Southern section due to a feeling that "they cannot remain as things now are consistently with *honor* and safety in the Union"; and the "great and primary cause of this belief is in the fact that the *equilibrium* between the two sections in the government as it stood when the constitution was ratified and the government put in action has been *destroyed*."

Webster, in his "Seventh of March Speech," alleged that up to 1850, three-fourths of the places of

honor under the United States government were held by Southerners. Alexander Stephens, in his famous appeal against secession in 1860, drew the attention of his countrymen to the fact that since the beginning of the government the South had eighteen out of the twenty-nine justices of the Supreme Court; sixty years of Southern presidents to twenty-four of Northern presidents; twenty-three out of thirty-five speakers of the House of Representatives; and eighty-six out of one hundred and forty foreign ministers. The South, as represented in the Senate, was thoroughly alert and determined to reject any appointees unfavorable to Southern interests, or tainted with free-soil convictions. Mr. Stephens challenged his fellow Southerners to answer whether they could receive better treatment under any other government than they had under the Union, and whether they could compensate themselves for the loss of an advantageous partnership in any greater degree of influence and patronage.

The South went out of the Union in 1861, not to preserve slavery, but in the disappointment of sectional defeat. It was not the institution of slavery that was threatened, but its extension as an element in the increase of the Southern system. Even upon the threshold of his administration, Abraham Lincoln wanted the South to understand that the

national government did not propose to interfere with slavery where that condition was established; but he stood for the policy, that slavery was an evil which should be isolated and not extended. When Lincoln declared that the nation could not go on existing, half slave and half free, his meaning was against the strife of slave sectionalism and free-soil sectionalism, competing for the new States, and maintaining an equilibrium of liberty and servitude. Secession was the Southern alternative to sectional-equilibrium-destroyed. As soon as the South lost an equal share in the political partnership, she made up her mind to go out. Her proportional importance might be respected, and slavery might be let alone. But when fate had ordained that proportion to be less than an equal one, the traditional political self-esteem of the South rebelled.

What had destroyed the sectional equilibrium and made all the strenuous effort, the political finesse and the brilliant strokes of Southern statesmen nugatory and impotent? The answer is: Immigration.

Next to the fact of sectionalism, the phenomenon of nineteenth century immigration is the most notable circumstance in our later history. This immigration was greater, numerically, than the vast barbarian migration that overturned the Roman Empire.

The growth in the tide of immigration will appear from the following figures:

|                                              |           |
|----------------------------------------------|-----------|
| Immigrants, 1789 to 1820 (estimated) . . . . | 250,000   |
| “ 1821 to 1830 . . . . .                     | 143,439   |
| “ 1831 to 1840 . . . . .                     | 599,125   |
| “ 1841 to 1850 . . . . .                     | 1,713,251 |
| “ 1851 to 1860 . . . . .                     | 2,598,214 |

The belated colonization of America by Ireland and Germany gave the North her numerical preponderance in the census; enlarged her relative strength in the House of Representatives; filled the places in the East of the army of young men going West; and then followed, in renewed waves of immigration, the Western pioneers. Had this immigration gone to the South, it would undoubtedly have counted in a different solution of the problem. Historians would not be able to trace a direct connection between the potato rot in Ireland and the Emancipation Proclamation. The three or four million immigrants who destroyed the sectional equilibrium were tools in the hands of Providence. Yet there was nothing accidental in the fact that their weight was cast with the North and against the South. It could not have been otherwise.

John C. Calhoun, in his last great speech in the Senate, delivered in the year of his death, 1850, sought to explain the waning strength of the South by deploring the fact that slavery was shut out of the territory north of the Ohio river and north of the 36th parallel. He also bewailed the influence

of the existing revenue system which he conceived to result in attracting the immigrant population to the North and robbing the South of her capital. Under other conditions he thought that the South would have received her share of the immigration, and the census of 1850 would show a population in the slave States equal to that in the free States.

Now the truth of the matter is that without the tariff, and with the fullest reign of squatter sovereignty, the result would not have been different. The North was destined to obtain the bulk of immigration in any event. The natural repulsion and antipathy between free labor and slave labor settled the question in advance. Slavery would have starved free labor out of the South, even had it sought entrance there. The peculiar civilization of the South gave the North all the advantages of development. Had Southern leadership at the start been of the style of Jefferson Davis and Robert Toombs, rather than of the temperament and range of Madison and Jefferson, the lead which the South gained and held for sixty years could never have been. The natural growth of the country was against Southern equilibrium; but the traditions of a lofty statesmanship kept her in the ascendant. It might have been foretold at the treaty establishing equilibrium of the sections in 1787 that unless immigration was to be shut out, as well as the importation of slaves, after 1807, the South was doomed to

numerical inferiority. Draper (*American Civil War*, I, p. 446) puts this opinion in the mouth of the slaveholder: "The mistake with us has been that it was not made felony to bring in an Irishman when it was made piracy to bring in an African." Otherwise it was starting a nation with all the conditions of enlargement and progress, with healthy life currents and virile institutions, in a race for the ascendancy with a nation already palsied by servitude and mortgaged in half its energies to an effete civilization. The ship which caught in its sails every breeze from over the Atlantic was bound, even against odds, to outstrip the slaver becalmed as if in a dead sea.

## CHAPTER XIII

### THE MISTAKE OF DOUGLAS

*Which Defeated His Ambition, Disrupted His  
Party and Divided His Country*

DANIEL WEBSTER made a great mistake in the last years of his career. The compromise of 1850, which he supported in his "Seventh of March Speech," was undoubtedly a statesmanlike measure; historians are so agreed. But Webster's span of life was short, and this speech cut off the friendship and admiration of a generation of his neighbors; the moving and master spirits of his section were alienated by his position on the Fugitive Slave Act and his strong denunciation of the Abolitionists. They all said that Webster was throwing a sop to the South because the presidential bee was buzzing in his bonnet.

"Revile him not," wrote Whittier, "the Tempter hath a snare for all":

"O dumb be passion's stormy rage  
When he who might  
Have lighted up and led his age  
Falls back in night."

A few years later (1853-4), an influential Democratic leader, Stephen A. Douglas, made the same sort of mistake, even more tragic for his personal fortunes; and no historian can defend the Kansas-Nebraska bill as in anywise statesmanlike.

This mistake should form an instructive chapter for all the politicians who come after him. In moving for the repeal of the Missouri Compromise (of 1820) Douglas pretended, and he may have sincerely believed, that he was standing for a great principle (popular sovereignty), but as a matter of fact he was running counter to the sentiment of his State and his section to win the support of the South in his ambition to become the presidential candidate of his party in the next election. He was soon to realize the folly and fatuity of his course, both as respects his personal career, the fortunes of his party and the welfare of his country.

The Compromise of 1820, which prohibited slavery north of parallel 36 degrees 40 minutes in the territory west of Missouri, although only an act of Congress, had come to be regarded as a "sacred political compact"—a treaty of peace between the North and South, to allay all future clashing over the question of slavery. Douglas himself is quoted as saying at Springfield, Ohio, in 1849, that the Missouri Compromise "had become canonized in the hearts of the American people as a sacred thing,

which no ruthless hand would be reckless enough to disturb."

The later Compromise of 1850 was occasioned by the necessity of a like compact as to the territory newly acquired in the Mexican War. This compromise left to the people residing in this newly-acquired territory the decision whether or not slavery should be permitted or excluded in their respective domains. There was no reason why this principle should be extended to territory where the matter was already adjusted by the Missouri Compromise. The slaveholder might wish it, whether or not he asked it, but there certainly was no reason why a Northern man should make the offer. When Senator Douglas, as chairman of the Committee on Territories, brought in the Kansas-Nebraska bill, embodying this concession to slavery, a Southern senator (Clayton) said: "This proposition to repeal the Missouri Compromise did not originate with Southern men. It comes from the North. The Senator from Illinois is its reputed author."

Another Southern congressman, Cullom, of Tennessee, pithily declared: "This bill, Sir, should be on the private calendar, and the title of it should be so amended as to read: 'A bill to make great men out of small ones, and to sacrifice the public peace and prosperity upon the altar of political ambition.' . . . The author of this movement was a defeated, or rather rejected, presidential aspirant in 1852."

The business element of the North, the sober-minded people of the South, and the politicians of both parties, were heartily sick of the slavery question. The country uttered a sigh of relief after the enactment of the Compromise of 1850.

"We claim," said the Democrats, "that the Compromise of 1850 is a final settlement." And President Pierce promised that the Democrats would resist all attempts at renewing, in or out of Congress, agitation on the slavery question. Douglas took cognizance of this feeling in closing the debate on his unfortunate measure:

"There is another reason," he said "why I desire to see this principle [popular sovereignty] recognized as a rule of action for all time to come. It will have the effect to destroy all sectional parties and sectional agitation. If you withdraw the slavery question from the halls of Congress and the political arena, and commit it to the arbitrament of those who are immediately interested, . . . there is nothing left, out of which sectional parties can be organized."

Never was a prophet more mistaken. The repeal of the Missouri Compromise, with the ensuing chapter of "bleeding Kansas," did more to foment sectional ill feeling and discord on the slavery issue, than any other event or influence; so that Lincoln at the opening of his campaign for the Illinois senatorship in 1858 could say in all truth: "We are

now far along in the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to the slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. 'A house divided against itself cannot stand.' I believe this country cannot endure half slave and half free."

The passage of the Kansas-Nebraska bill made Douglas the most unpopular man in the entire North. He himself says that he could travel from Boston to Chicago in the light of his own burning effigies. Though Alexander Stephens says that "never was an act of Congress hailed with more satisfaction throughout the South," that did not, as we shall see, profit the political fortunes of Douglas. The consequences to his party were equally disastrous. Rhodes says: "It made the Fugitive Slave Act a dead letter at the North; it caused the Germans to become Republicans; it lost the Democrats their hold in New England; it made the Northwest Republican; it led to the downfall of the Democratic party." (*History* I, p. 491.)

The slavocracy never really trusted Douglas. He had risen in politics by virtue of a glib tongue in the debating school epoch of Western politics. Before he was thirty years of age, his admirers

had elevated him to the Supreme Bench of Illinois. At thirty he was sent to Congress; and in 1847, before he was quite thirty-five, he was elected United States Senator. In his thirty-ninth year, we find him a presidential candidate before the Democratic National Convention of 1852, where he received 91 votes to Buchanan's 93, with some 60 scattering to other candidates; the deadlock being finally broken by a dark horse, Franklin Pierce.

Under an old rule, firmly fastened upon the Democratic party in 1844, no man could be nominated for the Presidency except by a two-thirds vote of the convention. This practically gave the slaveholders a veto upon the nomination, and they were not chary about using it. They made it clear that if the nomination went to the North, the candidate must be what John Randolph, in 1820, called a "Doughface," that is, "a Northern man with Southern principles."

All government, as Edmund Burke said, is founded on compromise, and this was essentially true of the American Union. The spirit of compromise on the slavery question went into the Constitution and permeated the political life founded thereon. No wonder we developed excesses in the spirit of compromise, and the truckling policy, illustrated by the rising politician who asked his lawyer to draw up a new dog law. "What kind of dog law do you wish to have?" asked the lawyer. The

politician replied: "I want a good, broad, safe, Democratic dog law, that will please my constituents and won't interfere with the rights of the dogs."

Douglas was again a candidate for the Presidency before the Democratic National Convention of 1856. He was then not unacceptable to the South, but the keen politicians of that section realized that by leading in the repeal of the Missouri Compromise, he had so damaged his popularity in the North that he was not now the available candidate the party wanted. The first ballot gave Buchanan 135 votes, Pierce 122, and Douglas 33 (only 14 of which came from the South). Most of Pierce's strength finally went to Douglas and on the fourteenth ballot, Buchanan had 168 to 122 for Douglas. After the sixty-sixth ballot, Douglas withdrew.

Soon after Buchanan's election Douglas' "squatter sovereignty" idea became a Frankenstein monster turning its energies against its author. The "Le-compton Constitution" came before Congress, purporting to be the Constitution upon which Kansas sought admission into the Union. This Constitution would make Kansas a slave State; but it had not been submitted to the people for ratification. Nevertheless, the Southern members of Congress were willing to fasten it on Kansas, and the Buchanan administration went with them. Douglas, for the sake of consistency, and more particularly to save his seat in the Senate, was forced to object.

He insisted that popular sovereignty demanded that the Constitution in question should be submitted to a vote of the people. In this proceeding he now earned the bitter hostility of the section he had sought to conciliate by his Kansas-Nebraska bill; where the friendship of his Southern friends had been lukewarm and conditional in 1856, its hostility became bitter and undying in the campaign preceding the Democratic National Convention of 1860. He won his fight against the Lecompton Constitution, and by a very close margin, he won re-election to the Senate from Illinois, after his famous debates with Lincoln in 1858. But the slavocracy put a veto upon his aspiration for the Presidency in 1860. They denied him the necessary two-thirds vote, they broke up the convention, and they divided the old historic Democratic party sooner than let Douglas realize his ambition as its nominee.

Charles Sumner was right when he declared, after the Senate had voted the repeal of the Missouri Compromise, that the event might prove a good as well as a bad measure; good, in that "it put freedom and slavery face to face, and bid them grapple." The country appears to have been in the hands of Providence. The Missouri Compromise tided the United States over a generation of time, and allowed the bonds of union to strengthen. When the great debaters, Webster, Clay, and Calhoun, passed off the stage, about 1850, the glib debaters and the fiery

orators had come on. The irrepressible conflict was hastened even while the managers were talking of the Compromise of 1850 as "a final settlement." It is matter for conjecture whether, if another Clay had formulated another compromise to preserve for another generation the truce over slavery, that relic of barbarism might not, by being limited to its existing area, gradually have died out by reason of economic conditions. But Fate took no chances. It was decreed that the country, and especially the South, should not escape condign retribution.

## CHAPTER XIV

### THE BIRTHPLACE OF THE REPUBLICAN PARTY

#### *Born in Michigan, Christened in Wisconsin*

THE Republican party was scarcely thirty years old when a dispute arose as to where it was born and who christened it. This dispute, oddly enough, was helped on through a doddering lapse of memory by the very journalistic wet nurse that had officiated at the young party's cradle.

During the presidential campaign of 1884, the people of Strong, in the state of Maine, conceived the idea of celebrating the birth of the Republican party, which, local tradition assured them, took place "in their midst," in 1854. The *New York Tribune* of June 30, 1884, said editorially: "In a few days the Republican party will be thirty years old. It was born in Maine . . . And it was first formally named the Republican party at a meeting in Strong, Maine, Aug. 7, 1854."

At once objections and rival claims were heard from all sections of the country. For example, A. N. Cole, on behalf of New York, protested: "The first convention called to organize the Republican

party . . . was held at Friendship, in this [Allegheny] County, May, 1854. This is gospel truth. . . . Horace Greeley named the party in a letter to myself in 1854, sometime in the month of April." Whitelaw Reid, Mr. Greeley's successor in the editorial chair of the *New York Tribune*, could not, however, recall that Horace Greeley made any claim to christening the party. "In fact, my recollection is that he encouraged the claim of a rural New York Republican, Mr. A. N. Cole, for the original suggestion of the name [Republican]." (Curtis, *The Republican Party*, I, p. 212.)

Among the other claimants whose voices were heard in the discussion now aroused, were Ripon, Wis., Jackson, Mich., and the Congress of the United States. James G. Blaine, then the standard bearer of the Republican party, appeared at the party birthday celebration at Strong, Maine, Aug. 7, 1884, and delivered himself of a conciliatory allusion to the controversy:

"The place and the time where the Republican party was first organized will, I presume, remain, like the birth of Homer, a subject of unending dispute. Seven cities claimed the latter, and seven States may claim the former."

This was the politician's rather than the historian's treatment of the controversy. Still, another method of evading the question was to say that the

new party came into being spontaneously during the year 1854, that "it founded itself," and that its name "was in the air." [McLaughlin, in his *Life of Cass*, remarks: "By that time (May, 1854) the name (Republican) was in the air."]

Nevertheless, informed opinion is now pretty well crystallized in holding that the Republican party was officially born at Jackson, Mich., July 6, 1854, and that the man chiefly responsible for christening it was A. E. Bovay, a lawyer of Ripon, Wis.

Both the great political parties in the presidential contest of 1852 had endorsed the Compromise of 1850, including the Fugitive Slave Act. The latter pill was rather too much for the deglutitive capacities of the Whig party in the North. General Scott, the Whig presidential nominee, carried only four out of thirty-one states, two border (Kentucky and Tennessee), and two New England (Vermont and Massachusetts). The Whig party was dead on that November day, although the date of the funeral was unseemingly delayed. President Pierce was inaugurated in March, 1853, and the new Congress-elect met in the following December.

Within a month the famous Kansas-Nebraska bill was in process of formulation. Under the terms of the Missouri Compromise of 1820, slavery was excluded from the territory included in Kansas and Nebraska. But the proposed law would repeal this

provision and leave the question of slavery, or its exclusion, to the vote and determination of the people of the territories when organized. The Kansas-Nebraska bill passed the Senate March 3, 1854. The excitement and resentment of the North grew from that date until May 22, 1854, when the measure passed the House and was, on May 30, 1854, signed by President Pierce.

Meanwhile, the Republican party was slowly "a-borning." The reaction against the repeal of the Missouri Compromise manifested itself in the meetings and demonstrations and conferences, in school houses and churches, and court houses, and capitols, from the Mississippi to the Androscoggin. And out of all this popular boiling and upheaval came some results in forecasting and formulating, by newer and shrewder politicians, by thinking men, here and there, with imagination and idealism, and possessing the energy to conceive and the skill to execute.

The older leaders, like Seward, would have preferred to retain the Whig name and organization; profiting from the reaction without the toil and trouble of discarding old committees and rebuilding new party machinery. Their course did not prevail, and it was well; for the new party gained some of its most vigorous leaders and thousands of its best supporters from the now disrupted rank and file of the Northern Democracy.

Among the non-partisan meetings, called in protest over the news coming from Washington, was one at Ripon, Wis., on the last day of February, 1854. Subsequently, on March 20, this local movement organized a governing committee consisting of three Whigs, one Free Soiler, and one Democrat. The moving spirit was a young lawyer, A. E. Bovay, who, because he was known as a personal friend of Horace Greeley, was much trusted by those people with whom the New York "Try-bune" was a sort of political bible. So Henry Wilson, Vice-President of the United States in 1874, when he published his *Rise and Fall of the Slave Power*, was inclined to look to Ripon, Wis., in writing a chapter on the "Origin of the Republican party":

"One of the earliest, if not the earliest movement that contemplated definite action and the formation of a new party, was made in Ripon, Fond du Lac County, Wis., in the early months of 1854, in consequence of a very thorough canvass, conference and general comparison of views inaugurated by A. E. Bovay." Wilson also notes (II, p. 410) that, on May 23, 1854, the day after the House had passed the Kansas-Nebraska bill, thirty members of Congress who had voted "No" met for conference, and, led by Mr. Washburn of Maine, agreed that a new party was desirable, and favored calling it the Republican party.

In June and July, 1854, we are very close to the

formal and official announcement of the new birth; and it was perhaps an accident that, while the new movement in Wisconsin selected the anniversary (July 13) of the Ordinance of 1787 as the date of its convention, Michigan "beat them to it" by selecting a week earlier (July 6) for the gathering "under the oaks" at Jackson, where a State ticket was nominated, a platform adopted, and the name "Republican" formally nailed to the mast in these words: "That in view of battling for the first principles of Republican government and against the schemes of an aristocracy [meaning the slavocracy], . . . we will co-operate and be known as Republicans until the contest be terminated."

In the fall election of 1854, the opposition to the Democratic party adopted the Republican name in only seven States, six of these, Northwestern States, and the seventh, Maine.

But who christened the new party? Joseph Warren, one of the delegates at the Jackson convention, declares: "The honor of having named and christened the party, the writer has always claimed . . . belongs jointly to Joseph M. Howard, Horace Greeley, and himself." Mr. Warren was in correspondence with Horace Greeley on the subject during June, 1854, and shortly before the Jackson convention. Greeley suggested the title "Republican." Mr. Warren transmitted the suggestion to Joseph

M. Howard, chairman of the platform committee. However, there were rival claimants right in Mr. Warren's vicinity, and something may be said for both Mr. Knight, of Pontiac, and Mr. Fitch, of Kalamazoo, who also saw the felicity of naming the new party "Republican."

It is to be noted that both Mr. Warren, of Michigan, and Mr. Cole, of New York, connect Mr. Greeley with themselves in selecting "Republican" as the name for the new party.

In the *New York Daily Tribune* of June 16, 1854, Mr. Greeley had an article entitled, "Party Names and Public Duty," wherein this passage occurs: ". . . We think some simple name like Republican would more fitly designate those who had united to restore our union to its true mission," etc. But who suggested the name to Mr. Greeley? Here is where the claims of Major Bovay wax strong. He tells of a conversation he had with his friend Greeley in 1852, at Lovejoy Hotel, New York. Mr. Bovay argued that the Whig party had outlasted its mission. He was advocating a new party which he would call "Republican." And when Greeley asked him why that name, he gave five reasons. The name had a reputable association in American politics. It lent itself to an adjectival as well as a substantive use. It was popular with the fleeing immigrant of 1848—"Republikaner—will appeal to them," etc. Mr. Bovay brings many of his old Ripon neighbors

to testify that, in season and out of season, he urged the name (Flower's *History of the Republican Party*). And, finally, there are letters exchanged between himself and Horace Greeley. He writes Greeley on Feb. 26, 1854: "Urge them . . . to band together under the name I suggested to you at Lovejoy Hotel in 1852. I mean the name Republican."

The celebration at Jackson, Mich., July 6, 1906, of the fiftieth anniversary of the foundation of the Republican party seemed to have the sanction, as an historic commemoration, of the leaders of the Republican party. President Roosevelt wrote a sympathetic letter; his Secretary of State, John Hay, delivered the principal address, and Vice-President Fairbanks, Speaker Cannon, and other leaders, lent the occasion the favor of their presence and their voice. In the memorial volume devoted to the celebration, Mr. Bovay's prior claims to the christening of the new party are, nevertheless, virtually conceded.

"The truth of the matter seems to be that Mr. Bovay suggested the name to Greeley, Greeley to Warren, and Warren passed it along to Joseph M. Howard." (*Fiftieth Annual Founding Republican Party*, p. 56).

## CHAPTER XV

### WAS MRS. SURRETT GUILTY?

#### *An Incident of a great American Tragedy*

MARY E. SURRETT, an elderly widow, conducted a small boarding house in Washington during the last years of the Civil War. Like many another Washington household of the time, hers was thoroughly Southern in its sympathies. She had an attractive daughter, and a son, John H. Surratt, about eighteen years of age, who had made the acquaintance of the handsome young actor, John Wilkes Booth, then twenty-five years of age; and he soon became a frequent visitor at the Surratt home.

Civil wars breed more plots and conspiracies than are ever recorded, and this was particularly true of the great American civil conflict. John Wilkes Booth was a fire-eating secessionist, and there came into his mind the design of seizing the President of the United States, abducting him into the Southern lines, and using him as the price of exchange for a large number of Southern prisoners. In the latter part of 1864, Booth was active picking and choosing the confederates and assistants who would share

with him the accomplishment of this design. John H. Surratt readily joined the conspiracy. Was his mother aware of what was going on among those who visited her home? Very probably she was.

But when Richmond fell and Lee surrendered, the scheme to abduct the President was entirely upset. There were no Confederate lines into which he could be taken. Shortly before this, John H. Surratt had left Washington, arriving later in Canada. Booth, baffled and enraged over the situation, then conceived the more desperate and criminal purpose of assassinating Lincoln. It is by no means certain that he could have carried all of his associates of the kidnaping adventure into the new, insane and murderous design that now possessed his brain. But, naturally, in ferreting out his accomplices in the fell deed he committed, justice would trace back along the pathway of its development; and it would be for all those in any manner involved to clear themselves of responsibility.

The assassination of Lincoln, the assault upon Secretary Seward and the attempt upon the life of the Vice-President, all happening the same night (Good Friday, April 14, 1865) justified in the public mind the belief in a wide-spread conspiracy. The man now pushed to the helm of affairs was the Secretary of War, Edwin M. Stanton, a stern, forceful character, becoming in this emergency the very storm-front of public vengeance. He would see

that not a single person, near or far, high or low, directly or indirectly concerned, should be overlooked, and the punishment must be swift, condign, and vindictive. Could he depend for this purpose on ordinary trial by jury in the District of Columbia, where there were so many Southern sympathizers? He and his advisers would run no such chance, especially when, as they believed, the case required them to charge the crime on Jefferson Davis, Clement C. Clay, Jacob Thompson, and other high officials of the late Confederate government, for whose arrest as co-conspirators rewards were speedily offered. Therefore, under the opinion of the attorney general of the United States, a military commission was organized to try the guilty parties.

It consisted of nine army officers (of whom the name of but one is remembered or familiar to the present generation: Gen. Lew Wallace, afterwards the author of "Ben Hur"). This tribunal met May 10, 1865, within a month of Lincoln's assassination, with public feeling still running high; when, as the *New York Herald* said, "a thirst for vengeance seems to have taken possession of every soul"; and its sessions lasted through the six hot weeks, ending June 29.

Pursuant to the findings and sentences of this commission, Payne, who had assailed Secretary Seward, Herold, a youth who had accompanied Booth, Atzerodt, who was designated to assassinate the

Vice-President, and Mrs. Mary E. Surratt, were found guilty and, on July 7, 1865, hanged. Lighter sentences were inflicted on Dr. Mudd, Spangler, O'Laughlin and Arnold, who were not held guilty as principals. (All of these, except O'Laughlin, who had died in prison, were later [1869] pardoned by President Johnson.)

Mary E. Surratt was included in the charge with the other principal conspirators, it being specified in her case that she had, on or before the 6th of March, 1865, and on divers other days and times between that day and the 20th of April, 1865, "received, entertained, harbored and concealed, aided and assisted" Booth, Herold, Payne, and the others, "with knowledge of the murderous and treacherous conspiracy aforesaid."

The counsel for the prisoners raised a plea to the jurisdiction of the military commission on the ground (a) that the accused were not and had not been in the military service of the United States, and (b) that when the crimes charged were committed, the civil courts were open and functioning in Washington. This plea was over-ruled, but its importance was realized some months later, when its contention was upheld by the United States Supreme Court in a parallel case, the Milligan case: Lambdin P. Milligan had been arraigned, Oct. 21, 1864, before a military commission at Indianapolis for inciting insurrection, etc., found guilty and sentenced

to death. But eventually his case came, on the question of jurisdiction, before the Supreme Court of the United States, which held that a military court, organized to try civilians in communities where the courts are open and their processes unobstructed, is illegal and its proceedings null. The only difference between the Milligan case and that of Mrs. Surratt was in her favor: when Milligan was tried the war was going on; when Mrs. Surratt was tried the war was over.

There is a full and official report of the trial of Mrs. Surratt, Payne, Atzerodt and others, published with the approval of the judge advocate, Gen. Joseph Holt. Many years later (1896), a New York lawyer, reviewing the trial in the pages of a well-known legal journal (*The Green Bag*, Vol. VIII. p. 105), declared:

“No lawyer of experience in criminal jurisdiction can now read the testimony for the prosecution taken before the commission without arriving at the conclusion that if it had been offered in calm times before a learned court, the great bulk of it would have been excluded on the ground of incompetency or irrelevance, and mainly on the latter ground.”

The commission may not have been “organized to convict”; but the review of its proceedings exhibited in Dewitt’s *Judicial Murder of Mrs. Surratt*,

shows quite plainly that from the first it had its animus; and this was quite the reverse of judicial. In a dozen or more particulars the rights which the accused might have freely had before a jury were unceremoniously thrust aside by the military commission.

Booth's diary (recovered from his body when he was shot) was in the possession of the prosecution; but even if this were known to counsel, its production, however material, could not be forced in a military trial by the defense. In the later trial (1867) of John H. Surratt, before a civil tribunal, he had the advantage of building up his defense from the Booth diary, the pages of which plainly showed that the original plot was to abduct the President; and young Surratt claimed that, as to the later turn of events, he was entirely ignorant, as he left Washington before the surrender of Lee. His was a jury trial lasting for two months and practically rehearsing all the evidence that had convicted his mother. The jury disagreed, and John H. Surratt was not further molested.

The circumstantial facts which led to the conviction of Mrs. Surratt were these:

(1) The day previous to the assassination she was called to Surrattsville, near Washington, on legal business connected with her husband's estate. Booth gave one Weichman ten dollars to hire a horse and buggy

for her journey. At the same time he gave her a note and a package to be handed to one Lloyd, a tavern keeper at Surrattsville. Booth passed through Surrattsville in his flight after the assassination and took up the bundle at Lloyd's. Mrs. Surratt appeared to know that the bundle contained "shooting irons." The testimony in this matter was evoked from Weichman, a protégé of Mrs. Surratt, and Lloyd, the tavern keeper at Surrattsville; but both, as appeared from subsequent sworn statements, had been threatened as to their testimony by the prosecution; and the friends of Mrs. Surratt claimed that "they falsely swore her life away to save their own."

(2) On the night of April 16, Payne came back to Washington from his flight, disguised as a laborer. He sought the house of Mrs. Surratt, and when intercepted on the premises, he said to the officers that he had come to dig a drain by Mrs. Surratt's orders. She declared she did not recognize him. Before this he had been a visitor at her house, where Booth and the other conspirators—friends of John H. Surratt—were frequently received.

On Mrs. Surratt's side there were plausible explanations of these incidents; but the military court were not convinced by them. With regard to Payne, who confessed his guilt, and Atzerodt and Herold, who were undoubtedly accessories of Booth, the evidence was quite direct; although in the case of the half-witted youth, Herold, there might well have been leniency in the sentence pronounced.

But the circumstantial character of the evidence

against Mrs. Surratt as well as other matters outside the record, have created an abiding impression that she was the victim of a ruthless prosecution and an unjust tribunal. In after years (1880) her counsel, John W. Clappitt (in the *North American Review*, Vol. 131, p. 223), strenuously so contends. Her confessor, Father Walter, always declared her innocent.

Payne, confessing his guilt, made a dying declaration to General Hartfrant, who reports it as follows :

"The prisoner Payne has just told me that Mrs. Surratt is entirely innocent of the assassination of President Lincoln or of any knowledge thereof. He also states that she had no knowledge of the abduction plot."

General Hartfrant, who commanded the troops guarding the prisoners, forwarded this statement to the President, adding: "I believe that Payne has told the truth."

Rhodes, reviewing these events in his monumental *History* (Vol. V, p. 157), says that "legally there was not a strong case made against her [Mrs. Surratt]. A woman who had not actually committed murder, whose part in the crime was not shown beyond a reasonable doubt, should not have been sent to the gallows."

A majority of the military commission apparently were of this opinion also; for, in finding Mrs. Sur-

ratt guilty and sentencing her to death, they signed a recommendation to President Johnson that the sentence be commuted to imprisonment for life on account of Mrs. Surratt's age and sex. It required a two-thirds vote of the commission to impose the death sentence and this shifty method of throwing on the President the responsibility of exercising clemency looks like a compromise between opposing views.

President Johnson declared later (1873) that he had never seen the recommendation for mercy. General Holt, the judge advocate, waited until after Johnson's death and the death of most of the cabinet of the time to reassert (in 1883) that he had, in delivering the President the record of the trial, called his attention to the recommendation for mercy in the case of Mrs. Surratt. General Holt besought former Attorney General Speed, the surviving member of the cabinet, to bear him out in his statement, for he evidently labored under a sense of the obloquy which the seeming trick of withholding the prayer for mercy cast upon him. But ex-Attorney General Speed evaded or declined to pull him out of his predicament.

Some vengeful power had determined that Mrs. Surratt should die, perhaps to expiate the escape of her son, or perhaps (and General Holt had urged this), as a lesson to Southern women, so active in the cause of the Confederacy. The few days left

between the news of her sentence and the day of its execution, July 7, were spent in frenzied efforts by her friends to delay the blow. The last chance was an appeal to the President, but President Johnson was rendered inaccessible and, apparently, there was method in it. Ex-Senator Preston King, of New York, and General James Lane, of Oregon, stood guard over him, kept him in seclusion; and shut the door upon all petitioners. In vain the daughter of the doomed woman dashed herself against the doors of the White House and knelt in a frenzy of tears on the doorstep. But when within a year Preston King jumped into the Hudson a suicide, and General Lane blew out his brains, the superstitious drew their own conclusions.

Mrs. Surratt went moaning up the scaffold, with her last breath protesting, under the death-cap, her innocence.

## CHAPTER XVI

### FENIANISM AND THE ALABAMA CLAIMS

#### *A Trump Card in the Settlement of the Alabama Claims*

WHEN the "Alabama" was finally caught and sunk by the "Kearsarge," near the harbor of Cherbourg (June 9, 1864), she had destroyed sixty-four of our merchant vessels, and with her companion cruisers, the "Florida" and the "Shenandoah," had practically driven American commerce from the sea.

Our minister at London, Charles Francis Adams, complained to England about the "Alabama" while she was yet building at Liverpool; and he complained repeatedly about her depredations. American resentment steadily grew, and public opinion was strong in the sense that there must be a reckoning after the Civil War was concluded. "We charged and we felt," says Caleb Cushing, "that Great Britain and her colonies had been the arsenal, the navy yard and the treasury of the Confederacy."

England admitted the damage, but declined responsibility; and scouted the idea of reparation. Earl Russell, the British foreign secretary, was in

the habit of treating our "Alabama" claims as preposterous; to be spoken of with sarcasm and to be dismissed with a quip. He had curtly declined even the suggestion of arbitration. Charles Sumner, then chairman of the Foreign Relations Committee of the Senate, tells of discussing the "Alabama" claims with the British minister, Sir Frederick Bruce, at a dinner party about Christmas, 1865. Sir Frederick flatly told him that England would fight before she would pay a dollar or consent to arbitration.

Americans naturally looked to the acquisition of Canada as a means of compensation. Grant, in the early days of his Presidency, had considered an invasion of Canada as within the range of probabilities; and he tells us that "if Sheridan, with our resources, could not have taken Canada in thirty days, he should have been cashiered." (*Around the World With General Grant*, II, p. 167.)

The menace of American resentment, with Canada as its objective, undoubtedly affected the plans of a widely organized Irish-American patriotic society called the Fenian Brotherhood, leading them to shift their offensive against British rule from Ireland to the Canadian border. The Fenian movement against Canada (1866-71) also influenced England to adopt a more reasonable and conciliatory course as towards an adjustment of the "Alabama" claims; and, finally Fenianism helped to sustain the persistence and enforce the vigor of the American

case, to such an extent that the final adjustment was fairly satisfactory to our public, as it was, at the time, rather unsatisfactory to the English.

The Fenians were a secret revolutionary society, established in Ireland by James Stephens, and in America by John O'Mahony. These two men had been companions in exile in France, where they had learned the art of conspiracy. The name they selected was propitious; it was the title of the ancient militia of the Irish kings. The root of the conspiracy, as Gladstone said, was in Ireland, its branches in America. Its growth among the Irish-Americans was rapid, and it enrolled some of the best and most earnest men of the race. In Ireland, Fenianism encountered opposition from the conservative Nationalists, and especially from the clergy. In America, during our Civil War, Federal officers did not hesitate to hint that Irish-Americans availing themselves of the training of arms furnished on American battlefields, would have an opportunity to participate in an American war on England just as soon as the Civil War was over and the "Alabama" depredations were to be avenged. The martial spirit of the times helped to spread American Fenianism. A great Fenian convention was held at Chicago, in 1863, the proceedings of which illustrated the militancy of the movement. Fenianism assumed "the Irish Republic" to be already in existence, and the

Irish Revolutionary Brotherhood to be the provisional government. Fenian bonds were issued in thousands, and sought listing and quotation in Wall Street.

In its hey-day (1865-7), American Fenianism enrolled not over 86,000 members. The local circles reported to a State Center, and these to a Head Center. There were fifteen "circles" in the army and navy, with 14,620 names on the roster. General Spear, the "acting secretary of war," reported at the Cleveland convention of the order (September, 1867), that the Fenian army enlisted a total of 9,300 men, with 20,000 stand of arms.

Fenianism burst, like a bolt from the blue on the consciousness of England only as late as 1865. But if it proved a military fiasco, it was not without important results in another way. It revived the Irish question, indirectly helped to dis-establish the Irish Church and set in motion a generation of land reform acts.

The Fenian movement in America was intended originally to afford moral and material assistance to "the men in the gap"—the Fenians in Ireland. But in 1865, we find two factions developed among the American Fenians—that of the founder, O'Mahony, and that of an equally earnest leader, Colonel Roberts, who seems to have carried with him the strength of the movement. The Roberts faction organized for an expedition against Canada, and pub-

licly set the date as of March 17, 1866. The invasion was delayed until late in May, when scores of Fenian military companies began to move towards the Canadian boundaries. At Buffalo, Colonel O'Neill, a West Point graduate, was in command; and on the last day of the month he led a thousand men into Canada, his suspected object being to start the war by blowing up the Welland canal. The United States military and naval authorities seem to have permitted the affair to go just so far as to afford England an idea of the menace. Several thousands of Fenian volunteers, arriving later, were prevented from crossing the frontier to re-inforce the invaders; and in a few days O'Neill's little army came hurrying back, pursued by Canadian regulars and militia, who greatly outnumbered them. There had been a skirmish near Ridgeway. The Queen's Own Volunteers, of Toronto, and a battalion of Hamilton militia had driven in the Fenian outposts, but on being attacked in turn by the main Fenian body, they had been put to flight, leaving nine of their number dead and thirty wounded. A Canadian historian, Prof. George Bryce (*Short History of the Canadian People*, p. 469), thus describes the skirmish:

"About 900 men crossed from Buffalo to Fort Erie, on the night of May 31 [1866]. Moving westward, this body aimed at destroying the Welland canal, when

they were met by the Queen's Own Volunteers Regiment, of Toronto, and the Thirteenth battalion of Hamilton militia, near the village of Ridgeway. Here, after a conflict of two hours, in which, for a time, the volunteers drove the enemy before them, the Canadian force retired to Ridgeway and thence to Pt. Colborne, with a loss of nine killed and thirty wounded."

The American military authorities considered the Fenians "prisoners of State," and gave them free transportation back to their homes. "It was the United States, not England, that impeded our onward march to freedom," proclaimed General Burns, signing himself "Brig.-Gen. commanding the Irish Army of Buffalo."

Detachments of the "Army of Ireland" to the number of several thousand, had also gathered at Malone, N. Y., and St. Albans, Vt., but General Mead had seized the consignments of their arms and persuaded them to turn back peacefully to their homes. The Fenian invasion was again sounded in 1870, but the gathering invaders proved even less effective, although this time they mustered an artillery company in their front of battle. In May and June, 1866, Canada had nearly 40,000 men under arms to meet the "Green Peril." Again let us quote from an Anglo-Canadian historian:

"While England paid twice over for the 'Alabama' losses, the United States has never been magnanimous

enough or honest enough to pay a single dollar to Canada for the losses caused by the Fenian raids." (McMullens' *Hist. of Canada*, II, p. 365.)

Sumner thought that England could have settled the "Alabama" claims for very little if she had gone about it early in 1866. But the Fenian raid was an object lesson allowing both Americans and English to see that here was something happening on our side very like the violation of neutrality committed by England in letting Confederate privateers issue from her ports. "Suggestions were not wanting that the United States should recognize the Fenian organization as a belligerent and permit it to fit our privateers." (Hart's *American Nation*, Vol. XXII, p. 160.)

July 26, 1866, a bill passed unanimously in the House of Representatives modifying the neutrality laws so as to permit warships and expeditions to be fitted out against friendly powers. (*Cong. Globe*, 39th Congress, 1st Session, p. 4193.)

This colloquy occurred during the consideration of the bill: Congressman Patterson, of New Hampshire, thought there was undue haste. General Banks, in charge of the bill, answered the objection. Congressman Patterson, replying, said: "If the gentleman refers to Ireland, let me say to him that to that country I owe my origin, and I am as deeply interested in its liberty as he can be." Gen-

eral Banks retorted: "The gentleman says he owes his origin to Ireland. All I can say is that his opposition to this bill does his origin no credit." Patterson, nevertheless, voted for the bill.

Ireland, in 1867, was an armed camp in the prospect of the long-promised Fenian uprising. Maguire, M.P., from Cork, moving a resolution in the House of Commons on the state of Ireland, said the country was occupied by a powerful army, "such as we might expect to see in Poland, under Russian rule."

Among Americans, the idea of compensation for the "Alabama" claims by the cession of Canada, was in the air. In 1867, the English ministry began to parley about some means of adjustment. In 1868, we supplanted the able Mr. Adams by designating Reverdy Johnson as our minister to England. This amiable old gentleman had his Americanism quickly sapped by English social attentions, and the result was the Johnson-Clarendon treaty for the adjustment of the "Alabama" claims, along with counter claims of British subjects against America, the whole matter being treated as a settlement of money claims of individual citizens of one country against the other.

The United States Senate, under the leadership of Charles Sumner, promptly rejected this arrangement by a vote of 54 to 1. Sumner, with his eye upon

Canada, was in favor of letting the "Alabama" question await the opportune moment.

President Grant, in his message of December, 1870, recommended that the United States proceed to settle all private claims growing out of the "Alabama" cruise, so that the government might have "the responsible control of all the claims against Great Britain." Meanwhile, a private citizen of Canada, John Rose, was working unofficially in behalf of a new arrangement for arbitrating the dispute. As a result, the treaty of Washington was under formulation early in 1871. Secretary of State Fish consulted Charles Sumner, who was chairman of the important Senate Committee on Foreign Relations, and Senator Sumner gave Mr. Fish a memorandum, one paragraph of which is historic: "Second: the greatest trouble, if not peril, being a constant source of anxiety and disturbance, is from Fenianism, which is excited by the British flag in Canada. Therefore the withdrawal of the British flag cannot be abandoned as a condition or preliminary of such a settlement as is now proposed. To make the settlement complete, the withdrawal should be from this hemisphere, including provinces and islands."

The proposed treaty was sent to the Senate May 10, 1871. Mr. Sumner, owing to his quarrel with President Grant, was no longer chairman of the

Committee on Foreign Relations, but yet his opposition was feared. Charles Francis Adams says: ". . . the Irish-Americans then constituted a much more formidable political factor than now, and they were in a highly inflammatory condition. The echoes of the last raid on the Dominion had hardly died away in the press, and it would not have been a difficult task, especially for Mr. Sumner, to have excited an outburst of Irish-American feeling . . . as effectually to seal the fate of any treaty."

Mr. Sumner restrained himself, especially after being shown that the treaty was drafted somewhat after his speech of April 29, 1869. He, like most New Englanders, was susceptible to English flattery. One of the emissaries, in behalf of the treaty, the Marquis of Ripon, assured Sumner that without the aid of that great speech "the treaty could not have been made, and he [the Marquis] worked by it as a chart." So the "Alabama" claims went for adjustment to the Geneva Court of Arbitration, which began its work in December, 1871, and adjourned August 25, 1872.

But in the course of its deliberations, a rupture was narrowly avoided. The American case presented what were known as "the indirect claims"—claims for the cost of pursuing the "Alabama" and claims for the prolongation of the war. This move set all England in an uproar. The English cabinet threatened to withdraw from the arbitration. They

were mollified by being assured that the indirect claims were presented as a sop of Fenianism; and, moreover, if they missed this chance of adjusting the "Alabama" claims, well then, good-bye to all arbitration in future. Conditions in American politics had to be considered. The Fenian raids of 1870-1 "pointed," says Rhodes, "to the possibility of a formidable Irish demonstration against any supposed truckling to England." Therefore the American case was put as strongly and forcibly as possible.

## CHAPTER XVII

### THE RELIGIONS OF OUR PRESIDENTS

#### *Was Jefferson a Deist? And was Lincoln a Skeptic?*

OF the twenty-nine Presidents of the United States, up to and including Calvin Coolidge, twenty-seven are usually classified as belonging to designated Christian denominations, to-wit: Eight as Episcopalians, (Washington, Madison, Monroe, Harrison, Taylor, Tyler, Arthur and Pierce): six as Presbyterians (Jackson, Polk, Buchanan, Cleveland, Benjamin Harrison and Wilson); four as Unitarians (John Adams, John Quincy Adams, Fillmore and Taft); four as Methodists (Johnson, Grant, Hayes and McKinley), two as members of the Reformed Dutch Church (Van Buren and Roosevelt), one as a Baptist (Harding), one as a Congregationalist (Coolidge), and one as a member of the sect known as Disciples (Garfield).

While affiliated with the churches named, few of these men were in any pronounced manner religious characters. Washington thought he was doing quite well if he attended church once a month.

Others, like Madison, Pierce, and Buchanan, did not "publicly unite" with the churches with which they are classified; their religion might well be summed up in the words of the little girl: "Father is a Methodist, but he is not working at it." Our Presidents may be said to have lived the lives of the average public men of their time. One of them (Jackson) had killed his man in a duel, and the tongue of scandal, always embittered in political campaigns, assailed the private lives of several others.

Three of the Presidents (Arthur, Cleveland, and Wilson) were sons of ministers, and a fourth, James A. Garfield, was in his earlier life a preacher. Four of the Presidents (Adams, Fillmore, Pierce, and Arthur) married ministers' daughters. President and Mrs. Polk thought it exemplary to refrain from appearing at the theater during the presidential term; and under the Hayes administration wine was banished from all White House festivities.

Two of the greatest of the Presidents, Jefferson and Lincoln, were not members of any church, and their precise religious status and beliefs have been moot questions.

Thomas Jefferson was baptized, married and buried with the ministry of the Episcopal church: he was a contributor to that denomination but he declined to call himself an Episcopalian. In his

later years he said that he was, if anything, a Unitarian (Randall's *Life of Jefferson*, III, ch. 14).

In the political campaign of 1800, Jefferson's religion was made a leading issue by the New England pulpits. This was rather singular, too, in view of the fact that the opposing Federalist candidate, John Adams, was a Unitarian and had said many bitter things against the established churches; and Charles Pinckney, the Federalist candidate for Vice-President, was known as a Deist. During his residence as American minister to France (1785-88), Jefferson had come under the influence of the French Revolutionary school. His activity in securing the separation of Church and State in Virginia had aroused bitter denominational resentment. In his own opinion, the Virginia statute for religious freedom (1786), upon which he so prided himself, was the chief source of the hostility he encountered from the pulpits. Moreover, he was an outspoken opponent of fanaticism and sectarianism. Attention was called to his friendship for Thomas Paine. The Rev. John Mason's *Voice of Warning to Christians in the Ensuing Election* (1800) quotes largely from Jefferson's *Notes on Virginia*. Jefferson is described as a "profane philosopher and infidel," who "insults your Bible." Fifty versions of a remark he made to an Italian atheist (Mazzei) were circulated during the campaign to prove his hostility to the Christian religion. While riding with Jef-

ferson along a Virginia road, Mazzei had expressed surprise at the dilapidated condition of a country church. "It is good enough," said Jefferson, "for Him that was born in a stable."

During his Presidency Jefferson declined to issue the usual Thanksgiving Day Proclamation, believing, as he said, that "civic power alone had been given to the President of the United States and not authority to prescribe any religious exercises." Yet in Randall's *Life of Jefferson* (III, ch. 14) we are shown that in all the important State papers of his Revolutionary career, and also in his messages as President, there is pointed recognition of God and Providence. He speaks of the prosperity of the country, "enlightened by benign religion, professed and practiced indeed in various forms." Schouler (*Life of Jefferson*, p. 230), says: "Jefferson was certainly not less than a Deist; . . . he was well convinced of the loftiness of the Christian system and the sublime humanity of its great Founder." And the latest edition of the *British Encyclopedia* (XV, p. 306) touching upon this subject, concludes: "He [Jefferson] looked upon Unitarianism with much sympathy, and desired its growth." "I am a Christian," he wrote in 1823, "in the only sense in which He [Jesus] wished anyone to be; sincerely attached to His doctrines in preference to all others; ascribing to Himself every human excellence, and believing He never claimed any other."

In the Smithsonian Institute at Washington is preserved the original of what is known as "Jefferson's Bible." In a little leather-bound account-book he has pasted, in four parallel columns, Greek, Latin, French, and English passages from the New Testament,—the Gospels in their chronological order, a passage from Luke following a passage from Matthew, then a passage from John, and so on; eliminating portions he thought less important or open to controversy. This work engaged Jefferson's attention for several months after his retirement from the Presidency; and he intended to publish it in the various Indian languages for missionary purposes.

Some letters which passed between General Charles H. T. Collis and Colonel Robert G. Ingersoll were reprinted in 1900 under the title of *The Religion of Abraham Lincoln* (G. W. Dillingham, publisher). Ingersoll is quoted as saying that "Lincoln's religion was that of Voltaire and Tom Paine." "Mrs. Lincoln stated a few years ago that Mr. Lincoln was not a Christian." "Hundreds of his friends," adds Colonel Ingersoll, "have said the same thing." . . . "Many of them have testified that he was a freethinker," etc. Lincoln's former law partner, Ward H. Lamon, is a favorite witness in this behalf, and Congressman Alley, an intimate friend and associate through the Civil War period, says: "In his religious views, Mr. Lincoln was

very near what he would call a freethinker." Don Piatt, speaking of Lincoln's general point of view, declares: "I soon discovered that this strange and singularly gifted man, while not at all cynical, was a skeptic." (*Reminiscences of Abraham Lincoln*, p. 480.)

Against all these impressions, we have Lincoln's own words in his messages, letters, and other documents, as fully edited by Nicolay and Hay. The conclusion of these editors is thus stated: "Lincoln was profoundly and intensely religious, though he never joined a church nor formulated a creed. The current of his religious life was none the less strong in all the latter part of his life." (VIII, p. 235.)

Probably the issue arises because there were two Lincolns—the Lincoln of pioneer days in the reckless debating school atmosphere of the West, and the Lincoln of later days, broadened and mellowed by the great responsibilities of his office and the crucial events through which he lived. A Methodist bishop, Simpson, who knew him intimately in those days, says: "I doubt whether any President ever showed such trust in God." Certainly his proclamations and his speeches read like the expressions of a very religious man. He repeatedly invoked the Divine blessing. "Without the assistance of that Divine Being I cannot succeed; . . . with that assistance I cannot fail." ("Address on leaving Springfield," in 1861.) Trust in Providence and

submission to God's will sustain him in his course, and Biblical quotations frequently come into his State papers. Note these passages from his second inaugural address: "The Almighty has His own purposes. Woe unto the world because of offenses, for it must needs be that offenses come; but woe to that man by whom the offense cometh! If we shall suppose that American slavery is one of these offenses which, in the Providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to North and South this terrible war, as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may soon pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn by the lash shall be paid by another drawn by the sword, as was said three thousand years ago, so still it must be said: 'The judgments of the Lord are true and righteous altogether.' With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in. . . ."

In an order issued Nov. 16, 1862, he enjoined in

the army and navy "the orderly observance of the Sabbath" in "becoming deference to the best sentiment of a Christian people and a due regard for the Divine will." In an address, Sept. 14th, 1864, he speaks of the Bible as "the best gift God has given to man." On another occasion: "Bless all the churches, and blessed be God, who, in this our great trial, giveth us the churches." He believed in the efficacy of prayer. "I have been driven many times to my knees," he once remarked, "by overwhelming conviction that I had nowhere else to go. My own wisdom and that of all about me, seemed insufficient for that day."

Here is a curious passage written in a reflective moment: "The will of God prevails. In great contests, each party claims to act in accordance with the will of God. Both may be, and one must be, wrong. In the present Civil War, it is quite possible that God's purpose is something different from the purpose of either party, and yet human instrumentalities working just as they are may be the best adaptation to effect His purpose." (*Meditation on the Divine Will*, Sept., 1862, Nicolay and Hay, VIII, p. 52.)

Though not a member, Lincoln often attended the Presbyterian church in Washington, of which his wife was a member; and the pastor, Dr. Gurley, was present at his deathbed. In a word, Lincoln had the influence of a long heredity of humble Christian ancestry imbued in his character. He had the

spiritual attitude of a naturally sympathetic and religious man, though he could not submit to the organized religion of the backwoods preacher. He had the average Christianity of the average American.

## CHAPTER XVIII

### ACCIDENTS OF PRESIDENTIAL AMBITIONS

#### *Little Things which Made or Marred Great Careers*

"If the nose of Cleopatra had been shorter, the whole face of the earth would have been changed." This much quoted saying of Pascal is susceptible of varied illustrations. National policies have frequently turned on matters of accident; great battles have been won and lost by incidents; and political careers made or marred by episodes.

We have several instances of the latter phase in the story of some of our Presidents. Let us begin with one of the more recent and notable—Theodore Roosevelt. Upon the military popularity of our little war with Spain he was, by a narrow margin, elected governor of New York (1898).

When it came to the selection of a Vice-Presidential candidate to complete the McKinley ticket of 1900, Mark Hanna had chosen Cornelius N. Bliss, of New York, the old war-horse of the campaign treasury. The New York delegation to the convention favored Timothy Woodruff.

But Senator Platt thought the ticket needed some life and dash; and he made up his mind that Roosevelt was the man. Roosevelt and his friends saw, in the proposition, a scheme of the wily boss to shelve him, and to get a governor at Albany more amenable to the interests. Roosevelt wanted a second term as governor, but Platt told him plainly that he could not be renominated.

Meanwhile Platt had seen other bosses of the convention. He had arranged the matter with Quay and Penrose, but Hanna was still obdurate. While the Pennsylvania delegation was deciding to support Roosevelt, the latter had gone before the New York delegation and declined the honor. The New Yorkers thereupon decided to support Timothy Woodruff. Hanna's able manipulation finally turned in favor of Roosevelt, who was prevailed upon to resist no further. Thus, as matters spelled out, Roosevelt had greatness thrust upon him.

Within a few months after his election to the Vice-Presidency, he was President of the United States, following the tragic death of McKinley. But Roosevelt in the presidential chair showed that he also could achieve greatness. He built up a personal following and a nation-wide popularity that compelled the bosses of his party to concede him a renomination. Nevertheless without the prestige of a three years' successful administration of the Presidency, could he thus have won his way? He was

never the choice or the expression of the dominant leadership in his party. The bosses would, if they could, have kept the great prize of the Presidency safe from his grasp.

Over fifty years before, in 1848, Webster found his futile ambition for the presidency again disappointed at a great Whig national convention. The prize went to a soldier of fortune, General Zachary Taylor. But the politicians wanted a Northern man for Vice-President. They offered the place to Webster. He indignantly declined. (Curtis, *Life of Webster*, II, p. 337.) Had he consented, he would have been President of the United States; for Taylor died within a year and a half of his inauguration.

James G. Blaine was, with the probable exception of Henry Clay, the most brilliant personality in our whole political history. Both failed of the Presidency by the merest accident.

Blaine, who had come close to the nomination in 1876, and again in 1880, was at length nominated in 1884. The ensuing great "Mugwump" defection from the Republican ranks was more than made up, numerically, by the so-called "Blaine Irish" support. The famous Burchard incident undoubtedly cost Blaine many thousands of votes, but even then he came within a hairbreadth of winning. Cleveland's plurality, on a total vote of ten millions, was only

62,000. Blaine lost the pivotal State of New York by the slender margin of 1,149 votes in a total of 1,200,000—a tenth of one per cent.

The election was surely his within a few days of the balloting. On the afternoon of October 30, 1884, some five hundred clergymen met him in New York City. They wished to assure Blaine of their support. It was suggested that their spokesman should be the oldest man among them, the Rev. Sylvester Malone, a Catholic pastor of Brooklyn; but other considerations led to the selection of Rev. Dr. Burchard, who, in the fervor of his partisanship, used a fatally alliterative expression. He identified Blaine with the warfare against "Rum, Romanism, and Rebellion." Instantly the shrewd Democratic campaign management saw their opportunity to use this phrase in recalling the Blaine Irish defection from the Democratic party. Within twenty-four hours, New York was placarded with the news. Blaine had not parried the thrust. His friends said that he had not heard Burchard's remark. A few days before the election he took notice of it and repudiated it. But it was then too late.

In the *Outlook* (Jan. 19, 1921), a Mr. Fessenden of Maine relates a conversation he had with James G. Blaine a few weeks after the Burchard incident. He put this question to Mr. Blaine: "Why did you not then and there resent Burchard's alliterative remark?" Blaine said: "Fessenden, I never heard

the remark." Blaine's mind was occupied with other matters while Burchard was speaking, and the aged preacher had a weak voice. This is merely reiterating Blaine's explanation made to many other inquirers. Senator Hoar (in his *Autobiography*) records the same explanation. So does Stanwood (a nephew of Blaine) in his biography of that statesman.

The Irish vote in New York, according to Senator Platt, had been a paramount concern with the party managers as the campaign was coming to a close. This incident was absolutely disastrous to Blaine. "That enough votes [hereupon] deserted Blaine and went to Cleveland to give him his plurality, seems a reasonable conclusion," says Senator Platt (*Autobiography*, Ch. IX).

More than one incident cheated Samuel J. Tilden out of the Presidency in 1876. Stanwood, in his *History of the American Presidents*, tells us that nearly every Republican paper in the country conceded Tilden's election the day after the balloting. Then ensued the manipulations of the returning boards in the three Southern States, and the situation became serious. The proposition to refer the disputed matters to an electoral commission, came from the Democratic House. It was accepted by the Republican Senate. Five Democrats and five Republicans were to be named from the Houses of

Congress as members of the commission, and the law named two Republican justices and two Democratic justices of the Supreme Court, the four justices thus named to select a fifth justice to complete the membership (fifteen) of the commission.

It seems to have been an understanding, upon which the Democrats placed great reliance, that Justice David Davis, an independent in politics, would be selected as the fifth justice; but almost at the same time that the electoral commission bill became a law, Judge Davis was elected United States Senator from Illinois by a combination of Independent Republican and Democratic members of the Legislature. "This afforded that gentleman an excuse to decline the place," says John Bigelow, the friend and biographer of Tilden. Mr. Bigelow further says (*Life of Tilden*, II, pp. 63-4): "It is difficult to see why Davis did not serve on the commission in spite of his election to the Senate, unless his absence from the commission was one of the conditions of his election."

In place of Davis, Justice Bradley, a Republican justice, was selected. That selection practically decided the contest, for by a strict and unvarying party vote of 8 to 7, every matter in dispute was decided against Samuel J. Tilden. And although he had won the presidency by a popular plurality of 250,000, that great prize was bestowed upon Rutherford B. Hayes, the Republican contestant.

If President Johnson had been impeached in 1867, his successor would have been Senator Benjamin Wade, of Ohio, then President *pro tem.* of the Senate; and we came very near having a President Wade on the list of our chief executives. Thirty-five senators voted Johnson "guilty," and nineteen "not guilty." The change of a single vote would have ousted him and made Wade President. What minor matters affect grave projects! Ben Perley Poore, the Senate clerk, tells us in his *Reminiscences*, that dislike for Wade greatly influenced certain senators who voted "not guilty."

Henry Clay, for a generation the great leader of the Whig party, was set aside by the nominating conventions of his party in 1840, and again in 1848, these being the only occasions when the Whig party triumphed in a presidential election. The politicians of the party on these occasions preferred military availabilities,—Harrison in 1840, and Taylor in 1848, running upon their military, not upon their civic, reputations. However, Clay did win the Whig nomination in 1844, and with great prospects of victory. Down to the eve of the election, it was recognized as a close contest. The electoral vote of New York decided the question. Clay lost New York by only 5,000 votes. Polk's plurality over Clay, on the entire national vote, was only 38,000. Clay had even carried Polk's state, Tennessee. The worst of it was that some letters that

Clay had written favorable to the annexation of Texas were cast up to him as the cause of his undoing. "Let us hereafter choose a candidate who can neither read nor write," said a sarcastic Whig of the time. These letters lost him enough anti-slavery votes in New York to give the electoral votes of that State to Polk. The leader of an insignificant third party (Birney, the nominee of the Liberty party), diverted to himself some 16,000 votes, gathered in the strong Whig counties of New York.

Aaron Burr came near election as President of the United States in 1801 by the merest political accident. In the presidential election of 1800 the Federalists supported Adams for President and Pinckney for Vice-President, the Republicans, Jefferson for President and Burr for Vice-President. The Constitution (Article II, Sec. 2) prescribed that electors should vote by ballot for two persons, without designating which was to be President and which to be Vice-President. The person having the greatest number of votes, if a majority of the electoral college, should be President and the person having the next number of votes should be Vice-President.

The result of the electoral vote in 1800 was: Jefferson 73, Burr 73, Adams 65, Pinckney 64, Jay 1. It was therefore evident, long in advance of the official count, that the election would have to be decided by the House of Representatives, the vote

to be taken by the States and a majority of the States being necessary to a choice, as the Constitution provided.

So strong was the Federalist hostility to Jefferson personally that the sentiment of the party turned to Burr, in preference. In New England Jefferson had been bitterly opposed as an atheist during the campaign. Here was an opportunity to keep out the atheist and elect in his place the grand-son of Rev. Jonathan Edwards and a son of the Rev. Aaron Burr, once President of Princeton. "Bad fruit cannot come from a good tree," said the Federalist pulpit. In the New York and New Jersey delegation it was thought that there were Republican congressmen willing to join with the Federalists in the coalition to elect Burr. The situation became an anxious one for Mr. Jefferson. He sought to establish frank relations with Aaron Burr in the matter, but Burr held mysteriously aloof. The highly honourable course for Burr was to repudiate instantly and openly the scheme of the Federalists; but it was apparent that he placed himself in the hands of his friends, and the intimation was plainly given by those close to him that he would accept, if elected. Jefferson proceeded to do the shrewd thing by offering a place in the new cabinet to a member of the influential Livingston family of New York; doubtless seeing that their co-operation would be thus enlisted to hold the New York and

New Jersey delegations in line. When the election was therefore thrown into the House, February 15, 1801, the Federalists, following the decision of a party caucus, supported Burr. Of the sixteen States voting, Jefferson received eight; Burr received six, and two, Vermont and Maryland, were divided. The balloting went on for a week, with little or no change until the 36th ballot, when, the Federalist congressmen from Maryland and Vermont voting blank, the votes of these States went to Jefferson, and Bayard the sole congressman from Delaware, a Federalist, abstaining from voting, the ballot resulted in ten states for Jefferson and five for Burr. Alexander Hamilton had exerted his personal influence with Bayard and other members of his party against the election of Burr. He protested "I cannot remain with a party which so degrades itself as to elect Burr."

The recurrence of any like accident in the counting of the electoral votes was obviated by the ratification (1804) of the twelfth amendment to the Constitution which provides that electors shall name in their ballot the person voted for as President and "in distinct ballots" the person voted for as Vice-President.

## CHAPTER XIX

### THE ORIGINAL KU KLUX KLAN

#### *"The Invisible Empire of the South"*

ALONG a country road at midnight, comes a procession of mounted men, wearing white masks, high conical cardboard hats, and clad in ghostly shrouds; their horses also in white trappings and with muffled feet, so that the weird cavalcade comes and goes in spectral silence. These are the Ku Klux, who, from 1867 to 1872, formed the "Invisible Empire of the South"; doing their work in the witching hour of night, "when churchyards yawn and hell itself breathes out."

The disfranchised ex-Confederate soldiers were resorting to a new method of regulating and curbing the recently enfranchised colored man. They would ask the trembling Negro for a drink of water. "Dey ain' had any drap since the Yankees killed 'em at Gettysburg. And den, su'h, when you gave 'em a gode-full, dey say: 'Kin you let me have de bucket? I'se just come from hell, and Ise skotched in my insides!'

This society, whose doings afterwards filled thir-

teen volumes of a congressional investigation, was organized at Pulaski, Tenn., in May, 1866, by some young ex-Confederates, with time on their hands and a taste for tomfoolery. They called themselves "Kuklos," the Greek word for circle, and in like sportive classic vein, they would sometimes dance around their victims, singing, "Dies illa, dies iræ." Of course, they had a ritual, which has been preserved in Fleming's *Documentary History of Reconstruction*. There was a "Grand Wizard of the Empire," with his ten "Genii"; a "Grand Dragon of the Realm," with his eight "Hydras"; a "Grand Titan of the Dominion," with his six "Furies"; a "Grand Giant of the Province," with his four "Goblins"; a "Cyclops of the Den" (the local council) and his staff consisting of two "Nighthawks," a "Grand Magi," a "Grand Monk," a "Grand Turk," and so on. What was begun in jest, developed into earnest. The prankish notion adapted itself to a present need.

When the social system has some secret grief or suffers from an unredressed ailment which neither the courts nor the legislatures can or will recognize, there is the inevitable appeal to extra-legal remedies. Thus the *Vehmgerichte* functioned in mediæval Germany, thus the White-Boys met at the rising of the moon to solve Irish agrarian difficulties, thus the Vigilantes broke the peace to keep order in Western frontier towns. And the Southerners argued that the first Ku Klux in our history were the disguised

men who against all law threw the tea overboard in Boston harbor.

Radical Republicanism was proceeding roughly with the work of Reconstruction. The keystone of their policy was Negro suffrage. While the ballot was given the emancipated slave, the substantial and taxpaying elements were disfranchised, because "recently in rebellion against the Union." Adventurers from the North, called "carpet-baggers," and a certain element of Southern whites, called "scal-awags" by the ex-Confederates, exploited the Negro, politically. The old masters illy brooked, not merely the assumed equality, but in many instances, the attempted dominance of the former slave. The civic and social situation was turned topsy-turvy.

Antedating the Ku Klux, and somewhat responsible for provoking its adaptation to the racial and political situation, were the so-called Loyal League clubs, established by Northern men among the Negroes. In 1862, Union League clubs were established in many Northern cities by solid Republican business men, who desired to uphold the war spirit and support the government in its determination to put down the rebellion. The Union League extended to the South as early as 1864, and at the close of the war, it enrolled many Southern whites of Unionist sympathies. The Southern Union League councils were soon turned into Negro clubs, controlled by carpet-bag politicians from the North.

These councils, which came to be known inclusively as the Loyal League, met in Negro churches and school houses, and where the members were drilled in the use of arms. Inflammatory speeches were made, and confiscations of property and various measures of social equality promised. Traced to this organization were many instances of the burning of buildings owned by obnoxious Southern whites and other manifestations of Negro disorder and insolence.

In a few years of Negro domination, the debts of the Southern States were increased over \$130,000,000, chiefly by extravagant railway aid grants and bond issues, the railroad, in this and succeeding decades, being the bell-wether of corruption in American politics. However, when the Southern brigadier came again into the saddle, he had no fine scruples about repudiating such flagrantly made state debts.

The South Carolina legislature of 1873 is pointed to as a glaring instance of what the too rapid enfranchisement of the colored man meant. It was a black parliament, with a black speaker, black clerks, mulatto pages, and a coal-black chaplain. It was a collection of Congo types, that would have delighted the eye of a buccaneer slave-ship captain; some of them in shiny black frock coats and plug hats of ante-bellum style, grading down to others in slouch caps, stub jackets, torn trousers and heavy

brogans, dirty and unkempt, as if just from the cotton field, yet every Sambo of them raising points of order and rising volubly to questions of personal privilege. As the session wore on, they acquired a full sense of their position as statesmen. They sat in \$60 chairs, spat into \$14 cuspidors, and admired themselves in \$600 mirrors. They established a free legislative restaurant and bar, which was kept open day and night for the entertainment of the members and their friends, who also shared the benefit of an appropriation for what were entitled "legislative supplies," including such political necessities as baskets of champagne, also hams, oysters, perfumes, bonnets, corsets, garters, and chemises. This gathering was dominated by a score of white men, among them a Jew named Moses, who ingratiated himself and became a sort of king of the Zulus by leading the grand march at a colored ball.

Senator Zebulon Vance (Dem.), of North Carolina, puts upon record this story of the time: A Negro member of the North Carolina legislature was found one night in his room counting, by the dim light of a tallow dip, a pile of bills and chuckling to himself as he counted. "What so amuses you Uncle Cuffy?" said the visitor. "Well, boss," replied the smiling Negro, "Ise been sold in my lifetime 'leven times; and, foh de Lord, dis am de fust time I eber got de money!" The story may sug-

gest how the whirligig of time brought in its revenges for the slave auctions of the bygone epoch.

Besides passing laws to secure equal rights and equal association with the whites in churches, schools, theaters and railway cars, the Negro occasionally tested the social millenium in more grotesque and bumptious ways. Myrta Lockett Avary, in her chatty *Dixie After the War*, tells of a white congregation at worship in a little South Carolina church, when Negro soldiers filed in and took seats beside the ladies. The preacher at once dismissed the congregation. Colored men talked among themselves of intermarriage with the whites as part of the new order of things.

Perhaps such matters had nearly as much to do with the spread of the Ku Klux as the political evils incident to the reconstruction situation. In New Orleans, during the winter of 1867-8, the order of the White Camelias was organized, and spread quickly throughout Louisiana and the adjoining States. It is said that the White Camelias were more numerous than the Ku Klux and better restrained in their actions. The White Camelias organized principally in the black belt district, whereas the Ku Klux was organized principally in white counties. Elsewhere the movement took the name of the White Rose, the Pale Faces, and the

White Brotherhood. But in the political records and legislation of the time, all these societies, so similar to their objects and methods, were merged under the Ku Klux name.

General John B. Gordon says that the best men of the South went into the Ku Klux. It counted 550,000 members in 1868, but it was far from being universal in the South. "A map of the Ku Klux operations does not touch the great plantations of the black belt, but only the piedmont territory, where the poor whites had their homes." According to the report of the Democratic minority of the congressional investigating committee (Feb. 19, 1872) the Ku Klux appeared in only 40 of the 420 counties of the states investigated. The Democratic minority stoutly asserted that the best Southern people disapproved of the Ku Klux outrage.

The story of those outrages had already become Republican campaign ammunition as early as the presidential election of 1868. There is no doubt about the violence of the race war ensuing. Woodrow Wilson, who is not unsympathetic towards the South, admits that "brutal crimes were committed; the innocent suffered with the guilty." In one Alabama district, six Negro churches were burned in 1870. There was a particular hostility toward Negro school houses and white schoolma'ams from the North. According to a Federal Grand Jury (1871), there were eleven murders and over five

hundred whippings by the Ku Klux in one county alone (York Co.) of South Carolina.

*A Fool's Errand*, by Albion W. Tourgee, was widely read throughout the North a generation ago. Its author, himself "a carpet-bag" judge, here deals in the manner of the historical novel with the Ku Klux episode. In one reflective passage he declares: "Ah, the wounded in this silent warfare were more thousands than those who groaned upon the slopes of Gettysburg!"

Tourgee, after fourteen years in the South, came back to confess the utter failure of the Northern policy of dealing with the States recently in rebellion. We tried to super-impose the civilization cult of the North upon the South at a moment's warning; and to build up communities there which should be identical in thought, sentiment and development with those of the North. "It was a Fool's Errand," says Tourgee towards the end of the story (p. 341). The North realized its mistake within a decade, but there have been historical instances where the fool's errand has lasted for generations.

The Ku Klux did not escape the fate of all the illegal political secret societies of history; bad and unworthy men crowded in for selfish or revengeful purposes. Horse thieves and illicit whisky distillers cloaked their business in Ku Klux habiliments.

Congress soon set the heavy arm of the law in

motion. As early as May, 1870, an act was passed making it a felony to go upon the highway in disguise, for unlawful purposes. Then followed the so-called Ku Klux act of April 20, 1871, authorizing the suspension of habeas corpus and the employment of the army against this secret society. The dominant political powers had concluded to regard the Ku Klux movement as a new rebellion. This act effectually served its purpose before its drastic provisions were declared unconstitutional (in 1882, long after the Ku Klux was dead and buried). President Grant enforced the Ku Klux act with such results that nearly 2,000 prominent citizens of South Carolina were indicted. He thus refers to the subject in his annual message in December, 1871: "There has been imposed upon the executive branch of government the execution of the act of Congress approved April 20, 1871, and commonly known as the Ku Klux law, in a portion of the State of S. Carolina. After the passage of this law, information was received from time to time that combinations of the character referred to in this law, existed and were powerful in many parts of the Southern States particularly in certain counties in the State of South Carolina. Careful investigation was made and it was ascertained that in nine counties of that State such combinations were active and powerful, embracing a sufficient portion of the citizens to

control the local authority, and having, among other things, the object of depriving the emancipated class of the substantial benefits of freedom and of preventing the free political action of those citizens who did not sympathize with their own views. Among their operations were frequent scourgings and occasional assassinations, generally perpetrated at night by disguised persons, the victims in almost all cases being citizens of different political sentiments from their own or freed persons who had shown a disposition to claim equal rights with other citizens. Thousands of inoffensive and well disposed citizens were the sufferers of this lawless violence."

The Ku Klux act, conjoined with amnesty and the overthrow of the carpet-baggers through the ballot-box, put an end to the Ku Klux Klan. The general amnesty act of May 22, 1872, removed the civil disabilities of over 150,000 prominent Southerners and left not more than 500 of the former Confederates disqualified for office. The Southern whites, thus re-inforced, soon regained dominion throughout Dixie.

President Grant, in his message of December, 1872, takes formal note of the passing of Ku Kluxism. There is little reference to it after 1873, either in our congressional debates or in the newspapers; although for partisan purposes the Civil War issue continued to figure in other forms.

The Cincinnati *Enquirer* (Dem.), during the fall campaign of 1874, designated such appeals as "waving the bloody shirt." Later on, the menace of a "Solid South" was a favorite Republican campaign argument.

## CHAPTER XX

### THE MULLIGAN LETTERS

#### *A Cause Celèbre in American Political Ethics*

IN his twentieth year (1850), James G. Blaine, then teaching school in Kentucky, met and married Harriet Stanwood, who was a teacher in a near-by young ladies' seminary. Her home was in Maine, and it so chanced that Blaine later (1854) settled in that State, and by the aid of his brothers-in-law, Jacob and Eben C. Stanwood, prosperous merchants of Boston, acquired an interest in *The Kennebec Journal*, and became its editor.

From this start he rose to prominence in local politics, and on December 7, 1863, entered Congress as a representative from the State of Maine, acquiring, in a few years, such standing in the National House that he was chosen its Speaker, March 4, 1869.

Mr. Blaine's business relations with his brothers-in-law in Boston led to his becoming interested, about 1861 (prior to his election to Congress) through Warren Fisher, Jr., a partner of Eben Stanwood, in the Spencer Rifle company, which had

a contract with the government; and he was also brought in contact with James Mulligan, the confidential clerk of Jacob Stanwood.

In June, 1869, Mr. Fisher, having taken up a stock promotion proposition of the Little Rock and Fort Smith Railway, Blaine was brought into the deal in such a manner that he was to receive \$125,000 in land grant bonds of the road, and about \$30,000 of the first mortgage bonds, as commission for selling to his friends \$125,000 of the first mortgage bonds, with which also went an equal amount of stock. Had the railroad prospered, all would have been well; but it at once proceeded to default on its bonds, and Blaine had to protect the friends whom he had interested. In the process of this business many letters passed between Fisher and Blaine, and, although by 1872 they arrived at a settlement, their relations became strained. Some of Blaine's letters remained in the possession of James Mulligan, who also appears to have grown hostile to Blaine; and these letters subsequently (1876) came into public notoriety as the famous "Mulligan Letters," which affected a great public career and furnished the basis for one of the most interesting ethical cases in our political history.

Early in 1876, Blaine, as the brilliant leader of the Republican minority in Congress, raised a bitter anti-Confederate issue in the course of a debate over a bill to remove the disabilities of those ex-

Confederates (including Jeff. Davis) not heretofore amnestied. The resentment thus aroused resulted in the revival of old rumors affecting Blaine's conduct in certain railway transactions of the past. The intimation was that he had managed to recoup himself in the Little Rock deal, by working off his holdings of depreciated securities, at a price far above their market value, to certain railway magnates (Thomas A. Scott especially), who had thus obliged Speaker Blaine, in expectancy of favors, which he could later on render them in a political way.

Blaine at once took cognizance of these rumors by rising in the House, April 24, 1876, and stating:

"For some months past a charge against me has been circulated, . . . endeavoring to show that I had, in some indirect manner, received the large sum of \$64,000 from the Union Pacific Railroad Co., in 1871." This he denied, and presented a letter from Thomas A. Scott, stating that the Little Rock and Fort Smith bonds, purchased by the Union Pacific Railroad Co., in 1871, were not purchased or received from Mr. Blaine.

This seemed to set the matter at rest; but new sources of gossip gave new life to the unpleasant report, and a sub-committee of the Judiciary Committee of the House finally took the matter up for more thorough investigation. Fisher and Mulligan came on from Boston to testify before this committee; and an incidental remark of Mulligan's to

the effect that he had in his possession certain letters of Mr. Blaine referring to the transaction under inquiry, which letters Blaine supposed had been returned to him, completely upset the calculations of the brilliant Republican leader.

Before Mulligan could be summoned to introduce these letters, Blaine visited him at his room, and under pretence of wishing to examine the letters, secured custody of them for that purpose, but immediately claimed them as his private property and refused to return them. Then he executed the brilliant coup of reading them into an explanatory speech (June 5, 1876) before the full House, in a way that achieved a histrionic triumph, and brought him the enthusiastic applause of the entire Republican membership. The Judiciary Committee encountered several delays in getting at the case again, and meanwhile Blaine was promoted to the Senate by appointment of the governor of Maine to fill the vacancy caused by the death of Senator Morrill. Thus the House lost jurisdiction over the matter, and the Mulligan letters, as a subject of congressional inquiry, dropped from the calendar.

But they still lived in the limelight of political discussion. The middle of June, 1876, found the Republican National Convention in session at Cincinnati. Had the balloting followed after Ingersoll's great nominating speech, it is thought that the nomination would have gone to Blaine on the first

ballot. But an adjournment was secured. Blaine led on the first six ballots, far distancing all his original competitors. But his support was weak from all the New England States, except Maine. The "Mulligan Letters" had done their work with "the New England conscience." It is quite generally agreed that in this way he lost the nomination. He maintained his popularity nevertheless; and again, in 1880 we find him a leading candidate for the presidential nomination before the famous Chicago convention of that year.

The nomination came to him finally, and with considerable ease, in 1884. A new instalment of the "Mulligan Letters" was then given to the public by Fisher and Mulligan. The ensuing campaign was the worst of our presidential elections in point of bitter personalities. "Party contests have never before reached so low a depth of humiliation," said the *Nation* (Vol. 38, p. 378). But the charges reflecting on the private morality of the Democratic candidate seemed to have carried less weight than the charges reflecting on the public character of the Republican candidate.

The "Mulligan Letters" were at least a leading contributory cause of the defeat of James G. Blaine. They were the pivot upon which the Mugwump defection turned. The feud with Conkling doubtless also had its effect. Yet it was the Burchard episode which really snatched away the victory that

the "Plumed Knight" had, nevertheless, all but won, in the face of these tremendous handicaps.

So far as the "Mulligan Letters" were evidence, a jury must have brought in a verdict of "not proven" as to the case at bar, *viz*: the charge that Blaine had sold bonds to, or accepted favors and gratuities from, the railroads. There is only this passage in a letter written to him by Warren Fisher, Jr., Nov. 10, 1871:

"Owing to your political position, you were able to work off your bonds at a very high price, and this fact is known to others besides myself."

But this is merely a charge, not evidence; and Blaine's reply contains no admission of the point, but rather a claim to the contrary. He alleges that he is financially worse off than if he had never touched the Little Rock proposition.

The passages in the "Mulligan Letters" upon which his political opponents placed a specially invidious construction, were the following:

June 29, 1869: "I do not feel that I shall prove a deadhead in the enterprise if I once embark in it. I see various channels in which I know I can be useful."

Blaine's friends maintained that the meaning here intended was that he would prove useful in disposing of the stock and bonds of the enterprise, as he subsequently did. His political opponents argued that this passage intimated the power Speaker Blaine

had in making up the Committees of the House so as to favor certain interests.

Three letters, dated Nov. 18, Dec. 7 and Dec. 9, 1870, show how Blaine could help a friend in getting an allotment in a new distribution of national bank circulation:

"It will be to some extent a matter of favoritism as to who gets the banks in the several localities, and it will be in my power to 'cast an anchor to the windward' in your behalf if you desire it."

While under investigation in April, 1876, Blaine sent his former friend, Warren Fisher, Jr., a draft of a letter he wished that person to write in his behalf, exonerating him from certain charges. Fisher paid no attention to the request of his distinguished friend in distress, but later (1884) when Blaine was running for the Presidency, gave this interesting bit of correspondence to the public. Blaine's urgent request to Fisher contained the injunction, "Burn this letter." So, while the Republican torchlight processions of 1884 marched to the chant:

"Blaine, Blaine, James G. Blaine."

The Democratic processions kept step to the chant:

"Burn, burn, burn this letter."

The aspect of the whole matter really injurious to Blaine in the forum of politics was not the probability that he accepted favors from the railroads,

but that, in trying to clear himself of the charge, he stirred up this packet of old letters, which involved him in flatly contradictory statements, and led him, further, to the rather undignified performance of tricking the letters out of Mulligan's possession.

It is interesting to contrast the views of two leading historians on the episode :

Rhodes (VII, p. 174), says: "The positive evidence and the coincidence of events furnish the strongest of probabilities that these railroad companies (Atlanta and Pacific, M., K. and T., and Union Pacific), through their managers, relieved Blaine of his financial burden, expecting to more than recoup themselves through legislative favors, which the Speaker of the House could readily accord. . . . To my mind, the case against Blaine would be clear were it not for the evidence of Thomas A. Scott, who swore that the \$75,000 bonds which went to the Union Pacific were his own."

Here is the rather better balanced conclusion of Woodrow Wilson (*History of the American People*, V, 174): "There were rumors that he [Blaine] had used his power also to obtain favors from certain railway and mining corporations, and enrich himself. Nothing was proven. When the charges made against him were looked into with careful and impartial scrutiny, they turned out to have a very disputable foundation. He had engaged in trans-

actions, which no doubt left his hands clean, but hardly, it seemed, his conscience. There had been too little of the high punctillio of a nice sense of honor in many things he had done."

We are further to consider the political ethics of the time. Oakes Ames, a highly respectable gentleman of the Brahmin caste of New England, saw nothing wrong in the Credit Mobilier (1867-8), as a scheme of railway promotion. He undoubtedly felt shocked at the coarse methods of Boss Tweed, but when his own Credit Mobilier enterprise was exposed about the same time (1872-3), he was overcome by the obloquy, without feeling that it was at all merited. The Credit Mobilier was a construction company, organized in connection with the Union Pacific Railway. Congressmen who could be "useful," were allowed to buy stock in it at par; but the first year's dividends returned them their cash investment three times over. The exposure of this plunder-bund, although it tarnished the reputation of two Vice-Presidents of the United States (Colfax and Wilson), did not occasion anything like the political mortality a like scheme might work in our day. "The high-water mark of corruption in national affairs was reached during Grant's two administrations," says the historian Rhodes (VII, 191). If "James G. Blaine fell a victim to the malady of the time," it was, in his case, comparatively a light or varioloid form.

Service to the interests was the unwritten policy of the Republican party. Its more thrifty leaders did not see why they should neglect business opportunities that beckoned them. A Federal official, at the end of six years' service, was asked how he managed to save \$100,000 on a salary of \$3,000 a year. "Only by the practice of the most rigid economy," was the reply.

The fundamental trouble with our political life was the obligations contracted by parties and politicians to business and corporate interests; and this is a situation from which even today we are only slowly emerging. As late as 1894, when Blaine was cold in his grave, United States senators were fixing tariff schedules with one of their senatorial optics on the newspapers, and the other on the stock ticker, which registered the effects of their action on their private speculations in the premises. About the same time Major McKinley, having suffered business reverses, admiring friends contributed liberally to a fund which yielded him a modest competence; although, considering the business interests represented by these friends, it might be inferred that they were not entirely disinterested in legislation which Major McKinley, as a leading member of Congress, might largely influence.

In 1904, a great railway magnate gave \$100,000 to the campaign fund of a great reformer who was running for the Presidency. This contribution was

not intended to emphasize Harriman's zeal for the subsequent anti-merger policies of the Federal administration; and he bitterly complained that his views should have been so entirely misunderstood. The opposing party in the same campaign, found itself deeply in debt at the disastrous finish. A well-known railway and financial magnate, who was accustomed to invest money only when good returns were in prospect, paid up this debt by a liberal check. The Republican newspapers did not hesitate to say that in this transaction Thomas Fortune Ryan had "taken the Democratic party out of pawn."

## CHAPTER XXI

### THE MYSTERY OF THE "MAINE"

#### *The varying Verdicts of three Coroner's Inquests*

THE blowing up of the "Maine" in Havana harbor, at 9:40 P. M., Feb. 15, 1898, made inevitable, what was up to that time avoidable,—a war between the United States and Spain.

Officially, the United States never held that Spain was responsible for the blowing up of the "Maine." In government circles, at Washington, it was agreed that there was no evidence sufficient to lodge this charge against Spain. The cause of the war and the pretext for the war were outside the "Maine" incident. But that event, as it affected public opinion, brought on the conflict by inflamed conditions already existing.

Several theories and sub-theories are broached as accounting for the wrecking of the "Maine."

I. That it was due to an explosion, from within, of some of the forward magazines. This was the verdict of the Spanish investigators, and the opinion held by most European naval authorities. The late

Admiral Melville, formerly engineer-in-chief of the U. S. Navy, also held this opinion.

II. That it was due to some external cause, either a submarine mine, or the setting off of some low form of explosive. This was the verdict of the American naval court, which investigated the matter on the spot at the time of the disaster, and also the verdict of the Vreeland Board of Inspection, which examined the wreck of the "Maine" when it was raised in 1911.

There are four theories as to the cause of an external explosion:

1. That the explosion was due to the veering of the "Maine" from the place where it was moored, and the accidental striking of a forgotten submarine mine.

2. That the submarine mine in question was placed there designedly by Spanish authorities.

3. That the mine was placed there or the explosion caused by certain Spanish zealots, secretly, without consulting the authorities.

4. That the perpetrators were Cuban sympathizers, who planned in this way to bring on war between Spain and the United States as a means of liberating their country from Spanish rule.

In the *North American Review* (June, 1911) Admiral Melville states that the buoy to which the "Maine" was attached was an important one; that Spanish merchant vessels had been moored there,

prior to the coming of the "Maine," and furthermore that for the protection of the harbor of Havana submarine mines would have been located farther out.

No respectable authority now holds that Spain was officially implicated in the blowing up of the "Maine," although that was the insinuation of all the American yellow papers in 1898.

Admiral Melville thinks it strange that, had Spanish zealots or partisans perpetrated the deed, some clues or confessions would not have cropped out in the succeeding years. The United States had possession of Havana for three years after the conclusion, in 1899, of the Spanish-American war. Many Spanish soldiers remained in the city, and the usual criticism and complaints that come from its own adherents upon the losing side in a war, should have prompted some disclosures if there were any to be made. The suggestion that Cuban sympathizers may have perpetrated the deed, is noted by John D. Long, Secretary of the Navy in President McKinley's cabinet, in his work, *The New American Navy*, Vol. I, p. 144.

The Cuban insurrection of 1895 was provoked largely by Spain's failure to carry out the promises which ended the previous insurrection (1868-78). American interests were affected in a variety of

ways. Americans owned \$50,000,000 worth of property in Cuba, and our annual trade with Cuba amounted to \$100,000,000. Cuban sympathizers or filibusters endeavored to aid the insurgents from our ports. The radical measures of General Weyler, especially his "concentration" camps, aroused the indignation of the American public.

President Cleveland, in his message of December, 1896, referring to "our patient waiting for Spain to end the war," said: "It cannot be reasonably assumed that the heretofore expectant attitude of the United States will be indefinitely continued." President Cleveland, however, resisted the importunities of our consuls to send war ships to Cuban ports. This matter was early discussed in the cabinet of President McKinley. The "Maine" was sent to Key West in December, 1897, but not to Havana, as our minister to Cuba, General Fitz-Hugh Lee, had desired.

Spain, for more than twenty years, did not take kindly to the idea of our battleships visiting her ports. There had, however, on Jan. 13, 1898, been a riotous demonstration at Havana against the autonomy scheme, offered by Spain in her effort to pacify the insurgents. General Lee then became more urgent that a battleship should be sent to Havana. He feared further rioting. He also argued that more attention would be paid by the Spanish authorities to the representations of the

United States if an American battleship were in the harbor. Assistant Secretary Day, on Jan. 24, 1898, advised General Lee that it was the purpose of this government to resume naval visits to Cuban ports. "In that view, the 'Maine' will call at the port of Havana in a day or so. Please arrange for a friendly interchange of calls with authorities." The following day the "Maine" arrived in the harbor of Havana without any demonstration on the part of the populace. Spanish adherents in the city, however, manifested their displeasure, and the Spanish minister at Washington bitterly criticised the step. In an official way, Spain made no objections, but declared that she would return the compliment by sending a battleship to some American port. The "Viscaya," subsequently destroyed at Santiago, set sail for New York some days before the destruction of the "Maine."

There went down with the "Maine" two hundred and sixty-four men and two officers. Two explosions were heard; the first, like the report of a gun, and the second, more prolonged and of greater volume. Captain Sigsbee, in his message reporting the tragedy, asked the public to suspend judgment, pending the investigation of a naval court, which immediately set to work, assisted by divers and wreckers, to ascertain the cause of the explosion. After three weeks' investigation, this court reported (March 21) that the explosion was due to a sub-

marine mine, which caused the partial explosion of two or more of the forward magazines. The following day, the Spanish board of inquiry, basing its judgment largely on the testimony of witnesses, reported that the "Maine" was destroyed by an explosion of the forward magazines. Spain also urged an investigation by an international board; but the approach of war made this impractical.

Meanwhile, Senator Proctor, of Vermont, had made a sensational speech, March 17, 1898, after a visit to the concentration camps in Cuba, and the country, which had suspended judgment at the suggestion of Captain Sigsbee, was now thoroughly inflamed over the deliberately rendered report that a submarine mine had caused the disaster. The state of public opinion was such that Congress was ready for an immediate declaration of war.

On March 29, an ultimatum of the United States demanded that Spain proclaim an armistice. During the succeeding days the serious trend of affairs was appreciated by other nations, and many efforts were put forth, especially by the Holy See, to avoid the impending conflict. Spain was at once conciliatory, and then dilatory. President McKinley seems to have doubted her good faith, and on the 13th of April, he put the whole matter virtually up to Congress. On April 13th, the vote of the House was 324 to 19 for a resolution which meant war.

In the final resolution as adopted by both Houses

(April 21), the United States disclaimed any desire to exercise sovereignty or control over Cuba, its sole purpose being the pacification of the island, and when this was accomplished, Cuba was to be left to the government of its people.

The mystery of the "Maine" continued the subject of periodic discussion for years after the conclusion of the war. There was a taunt frequently uttered that the United States hesitated to raise the wreck of the "Maine" through fear that an examination of the ship would justify the Spanish claim that an interior explosion caused the tragedy.

Finally (1910), the United States decided to raise the "Maine." This was done at a cost of nearly \$1,000,000. A naval board of inspection was duly constituted, which reported Dec. 1, 1911:

"The board finds that the injuries to the bottom of the 'Maine' were caused by the explosion of a charge of a low form of explosive exterior to the ship, between frames 28 and 31, stroke B, port side. This resulted in igniting and exploding the contents of the six-inch reserve magazine, A-14-M, said contents including a large quantity of black powder. The more or less complete explosion of the contents of the remaining forward magazine followed. The magazine explosions resulted in the destruction of the vessel."

Subsequently, the wreck of the "Maine" was drifted out to sea and given decent burial in the

bosom of the deep. These lines from Will Carleton's "Burial of the Maine" may be quoted:

"Out of the harbor she sought long ago,  
Harbor that welcomed but served not to save;  
Under the clouds bending piteous and low,  
Crept the great ship to her grave.

\* \* \* \* \*

"Full sixty fathoms we buried her low,  
'Neath the rough seas, and the ne'er changing waves;  
Far from the molesting of friend or of foe,  
Heedless of tempest she lies."

On Friday, May 30, 1912 a splendid monument (costing \$185,000), erected at the entrance of Central Park, New York, was dedicated to "the valiant seamen who perished in the 'Maine'—by Fate unwarned, to Death unafraid." Seventeen warships, 5,000 blue jackets, and 8,000 Spanish War Veterans participated. Captain Sigsbee (now a Rear-Admiral), Admiral Dewey and Father Chidwick, were among the notables present.

## CHAPTER XXII

### WHY DID WE TAKE THE PHILIPPINES?

*To Become England's Partner in "Welt-Politik"?*

FOR some years prior to the Spanish-American war of 1898, Congress had been discussing the annexation of the Hawaiian Islands. Senator Hoar tells us (*Autobiography*, II, ch. 23) that he favored this measure, but began to have misgivings when he found that a motive with many of its supporters was that these islands were desirable to us "as a vantage point" in acquiring dominion in the Far East and our share in the then bruited partition of China.

The spirit of Imperialism was thus abroad in advance of the problems that came upon us with the close of the Spanish-American war, although the masses of people were unaware of it. "There had been no thought, when this war came, of sweeping the Spanish Islands of far-away seas, within the sovereignty of the United States," says Woodrow Wilson. (*History of the American People*, V, p. 295.) Senator Hoar tells us that President McKinley was opposed to making our conflict with Spain a war of conquest.

"Forcible annexation," said McKinley, "according to our American code of morals, would be criminal aggression." (*Message*, April 11, 1898.)

Eventually he departed from this cardinal principle; and it is usual to say that his change of policy dates from a western trip, which he made late in the summer of 1898. He found the hurrah element, which came out to greet him as the President in a victorious war, quite pronounced for keeping all the expansive possibilities of the war. He did not wait to consult the second sober thought of the nation, although Senator Hoar believes that "when the secret history of that time shall be made known," it will be found that McKinley was actually against the permanent annexation of the Philippines. "McKinley," says Woodrow Wilson (V, p. 272), "seems to stand like a leader who receives his ideas not from his own individual examination of affairs or the action of his own originative powers—but from the men about him—from the subtle airs of opinion abroad, out of doors."

Alluding to the condition of public opinion, at the time, Henry Watterson (*History of the Spanish-American War*, p. 277) thinks the movement for the retention of the islands was "the natural impulse of a people full of exultation and pride over the completeness, without precedent in naval wars, of the victory that Dewey had achieved with a skill and intrepidity that conferred splendor upon American

arms. It was the spontaneous outburst of simplest patriotism to ask that the flag, so valiantly planted, might float there forever in memory of the heroes who raised it."

And Frank A. Vanderlip, the eminent banker publicist, writing in the *Century Magazine*, August 1898, said: "The possession of the Philippines by a progressive commercial power, if the Nicaragua Canal project should be completed, would change the course of ocean navigation as it concerns a large percentage of the water-borne traffic of the world. The project is alluring."

McKinley, in his instruction to the peace commission (Sept. 16, 1898) held that "the march of events rules and over-rules human action. . . . The war has brought us new duties and responsibilities. . . . Incidental to our tenure of the Philippines is the commercial opportunity to which American statesmanship can not be indifferent. . . . The United States cannot accept less than . . . the island of Luzon." That the occupation of the Philippines would constitute a vantage point for American influence and trade in the Orient, is thought to have been the main motive influencing McKinley. So argues a contemporary authority, Professor Theodore Woolsey, of Yale.

The American peace commissioners, appointed to arrange the Treaty of Paris, were undoubtedly sounded out before their selection; yet two of them,

Senator Gray (Dem.) and Judge Day (Rep.), were at first adverse to the acquisition of the Philippines; the other three, Senators Davis and Frye, and Whitelaw Reid, strongly favored the acquisition of territory in the Far East.

It is interesting to recall some of the objections to acquiring the Philippines set forth by Senator Gray in a lengthy memorandum cabled to the State Department from Paris, October 25, 1898: "Policy proposed introduces us into European politics and the entangling alliances against which Washington and all American statesmen have protested. It will make necessary a navy equal to largest of powers; a greatly increased military establishment; immense sums for fortifications and harbors; multiply occasions for dangerous complications with foreign nations, and increase burdens of taxation. Will receive in compensation no outlet for American labor in labor market already over-crowded and cheap," etc.

John Hay was the Secretary of State, having been appointed to this cabinet place in September, 1898. Prior thereto he was ambassador to England. He probably came to his new duties, sharing the conception of an Anglo-American alliance, then much favored in certain of our army, navy, and diplomatic circles, having as one of its stimulations an exaggerated version of the English fleet's friendly attitude, as contrasted with the German fleet's hostile

attitude at the time of our naval victory at Manila. Hay was quite ready for an *entente* with England. "As long as I stay here, no action shall be taken contrary to my conviction that the one indispensable feature of our foreign policy should be a friendly understanding with England." So he wrote in September, 1899, after one year's occupancy of the Secretariat of State under McKinley. (Thayer's *Life and Letters of John Hay*, II, p. 221.)

The peace commissioners had received their general instructions when John Hay took office, but "how far the later modification came from President McKinley, and how far from Hay or his advisers, I cannot say," writes this biographer (II, p. 198). How far Mr. Hay threw his influence in favor of putting us in a situation where we must become England's partner in *Welt-Politik*, we may only conjecture. Even thus early the first chapters were being written in the diplomatic wrangles which culminated in the great war of 1914.

Meanwhile, we have the correspondence between the peace commissioners and the Secretary of State, published in 1901. So of course, the commissioners were obliged to act substantially upon the instructions transmitted by the Secretary of State. Secretary Hay gave these final instructions to the somewhat divided peace commissioners, peremptorily, on Oct. 26, 1898: "The cession must be of the whole archipelago or none. The latter is wholly inadmis-

sible, and the former must therefore be required."

As the Senate was then constituted, the Treaty of Paris could be ratified only with the assistance of Democratic votes. By a close vote (57 to 27) ratification was finally secured Feb. 6, 1899, ten Democrats voting with the Republicans. The argument was that the treaty closed the war and left us free to give the Filipinos their independence immediately.

"Suppose we reject the treaty," argued Senator Lodge, "what follows? Let us look at it practically. We continue the state of war, and every sensible man in the country, every business interest, desires the re-establishment of peace in law as well as in fact."

Aguinaldo's insurrection, which had broken out a few days before the day set for the vote, was undoubtedly a decisive circumstance in securing Democratic support for the treaty. Mr. W. J. Bryan, then the leader of his party, came on to Washington and urged the ratification of the treaty in order to end the war. He argued that the status of the Philippines could be determined afterwards at the coming presidential election. The issue against Imperialism was subsequently so raised in the presidential election of 1900, but Mr. Bryan found himself disappointed in the view of the matter taken by the country.

Hoar of Massachusetts, a Republican Senator, who voted against the treaty, afterwards said:

"The treaty would have been lost, in my opinion, if Senator Gray, one of the commissioners who made it, who earnestly protested against it, but afterwards supported it, had not been a member of the commission. . . . The Philippine treaty would have been lost but for Mr. Bryan's interposition in its behalf. It would have been defeated in my judgment, if Speaker Reed, a man second in influence and in power in this country to President McKinley alone, had seen it to be his duty to remain in public life and lead the fight against it." (Hoar, *Autobiography of Seventy Years*, Vol. II, p. 110.)

Mr. Bryan, in urging the ratification of the Philippine Treaty, argued that such action really cleared the way "for the recognition of a Philippine Republic." The Democratic party, in all of its platforms during the ensuing years, declared for Philippine independence. "We ought to do for the Filipinos what we have already done for the Cubans," said the platform of 1904.

The Republicans never formally favored a contrary policy. In 1913 (March 1), President Taft, speaking of the Democratic plank favoring "recognition of the independence of the Philippines as soon as a stable government can be formed," said this was "an affirmation of a policy only slightly different from that repeatedly announced by this and preceding Republican administrations." Roosevelt (*Everybody's Magazine*, January, 1915) said:

"These being the circumstances, the [Philippine] Islands should, at an early day, be given their independence."

And from the very first, steadily, patiently and by every method of persuasion within the law, the Filipinos have pressed for their independence.

We have so far recognized our obligations by establishing, in 1907, a Philippine legislature, the lower house of which was elected by the Filipinos; and by passing the Jones Act of 1916, which placed both houses in native hands.

The Jones Act of 1916 reiterates previous declarations by both Republican and Democratic leaders of American opinion, that it was never the intention of the people of the United States, in the incipency of the War with Spain, to make it a war of conquest or for territorial aggrandizement; . . . "it has always been the purpose of the United States to withdraw their sovereignty over the Philippine Islands, and to recognize Philippine independence as soon as a stable government can be organized."

We have never colonized nor attempted to colonize the Philippines. Scarcely more than 5,000 Americans reside there after a quarter century of American occupancy.

"The American people, as a whole, have derived no material advantage from our occupation of the Philippines. The Philippines have not contributed a cent to the treasury of the United States. We

have sunk at least \$700,000,000 in military and naval expenditures arising out of the occupation," says Prof. Raymond L. Buell of Harvard, in *The Atlantic Monthly*, March, 1924.

## CHAPTER XXIII

### THE LENGTH OF AMERICAN PUBLIC CAREERS

#### *And "Rotation in Office"*

"WITH the close of the Sixty-third Congress, there will permanently disappear from the Senate five or six senators, and from the House, some dozen congressmen, all of whom have been prominent figures in our public life for the last twenty years," said a Washington letter.

The same thing happens with the ending of every Congress. Look back a few years and note the political personalities then prominent and dominant, but who, upon roll call, fail now to answer "Adsum!" So in the course of ten or fifteen years, the House and Senate are almost completely filled with new faces; and new leaders are guiding legislation. The average political career does not run beyond ten years in this country.

There are, of course, great national figures who form an exception to the general rule. About the beginning of the war of 1812, when the old Revolutionary fathers were quite generally bidding farewell to public life, three men, afterwards to be-

come very prominent, were serving their first years in Congress. Henry Clay was Speaker of the House; Daniel Webster was serving as a representative from a New Hampshire district, and John C. Calhoun was in the Senate. These three men dominated American public life for forty years,—down to 1850.

The decade following the war with Mexico, brought into American public life a new generation of politicians, and many of these lasted through the Civil War period. Douglas, Davis, Sumner, Seward, Chase, Trumbull, John Sherman, Hendricks, Ben Wade, and Thaddeus Stevens may be mentioned, all of whom departed from the political arena before the end of the reconstruction period. But there were also during war time, new figures, such as Blaine and Conkling; and after the close of the war, Congress filled up with men who had served their country on the field of battle, such as Logan, Garfield, and McKinley; the South, too, sending to Congress scores of her "rebel brigadiers"—to use the partisan parlance of the time. For a third of a century after the close of the Civil War, every presidential nominee of the Republican party (except one), was a soldier of that war. But now the war-time statesmen have disappeared. A new relay of politicians came into the arena after the Spanish-American war, and now even this class is making its final farewells.

If we consult the Congressional Directory for January, 1916, we shall find no senator on the roll call who has worn the toga more than twenty-five years; and in the House only one member, ex-Speaker Cannon, with a congressional experience extending back of 1890. Of ninety-six senators all, save ten, had come to the Senate after 1900; and of four hundred and thirty-five congressmen, only thirty-four had been members of the House prior to 1900. Four-fifths of the Senate and nearly five-sixths of the House had held their seats less than ten years.

In the Senate, as constituted in 1896, thirty-two per cent of the senators had a senatorial career of ten years or over. But this was a cycle in politics particularly favorable to senatorial tenures. In 1911, as in 1916, but one-fifth, or twenty per cent of the senators, had ten years' experience or over. The direct primary and the Seventeenth Amendment (prescribing popular elections for the Senate), are considered influences leading to the retirement of senators of the old school. In 1903 it was said (*Cyclopedia of American Government*, I, p. 384), that senatorial careers averaged twelve years, and congressional careers five years. If averaged for a longer span of years, ten years for the senatorial and four for the congressional career would be nearer the truth.

In the year 1905, when Senator LaFollette came

to the Senate as a new man, his older colleagues thought it fit and decorous to haze the intractable Western progressive by leaving their seats and retiring to the cloak room during one of his long speeches. The Western senator hardly needed the gift of prophecy—he merely needed an acquaintance with statistics—when he remarked (and his words came true), that those seats “temporarily vacated today by their incumbents,” would very soon be permanently vacated by the will of the people.

To arrive in the United States Senate usually means that a public man has back of him some strong and state-wide political machinery, and that his political career has acquired a stability and a popular acknowledgment which better enable him to go on. Nevertheless, even in this higher sphere, we are struck by the brevity of political honors.

Let us look at the senatorial rosters of two Eastern, two Southern and two Western States, for the eighty or a hundred years ending with 1900: Massachusetts elected during that hundred years thirty-one men to the United States Senate—twenty-three of whom had to be satisfied with a single term. Men of the caliber of Daniel Webster, Charles Sumner, Henry Wilson, and George F. Hoar could not be denied re-election. During the hundred years ending with 1900, New York elected thirty-six United States senators, of whom only six secured re-election. Seward, after two terms, went into

Lincoln's cabinet; and Conkling, chosen for three terms, could not secure re-election in 1881, when he resigned in a huff. Virginia, the mother of Presidents, elected thirty-six favorite sons to the United States senatorship in the hundred years ending with 1900. Of these, only seven secured re-election. Georgia, during the same period, elected forty senators, of whom only four were re-elected. Ohio, in the period of 1803-1900, had thirty-four United States senators, of whom four were re-elected. John Sherman represented Ohio in the Senate from 1861 to 1879, save the four years he spent in the cabinet of President Hayes. Illinois, during the period of 1818-1900, had twenty-six United States senators, six of whom secured re-election. Douglas and Trumbull were re-elected for three terms, and Shelby Cullom for five terms.

From this survey it would appear that out of five United States senators, but one secures re-election; and scarcely one in ten has been able to continue his career through three terms or eighteen years.

The long terms have been exceptional. Thomas H. Benton, senator from Missouri for thirty years (1821-51), long held the record for senatorial longevity. Not until the closing years of the century was his record equalled. But Senator William B. Allison, of Iowa, elected for six successive terms (1873-1909), completed thirty-six years in the Senate, and Senator John Sherman, at an earlier period,

exceeded the years of Benton's record, although his service was not continuous (1861-77, 1881-97). Other senators, who, like Benton, spent thirty years in the Senate, were Morrill of Vermont (1867-98), Aldrich of Rhode Island (1881-1911), Hale of Maine (1881-1911), and Cullom of Illinois (1883-1913).

Under the Constitution, no citizen is eligible for the lower House of Congress unless he is at least twenty-five years of age, nor for the Senate unless he is thirty, nor for the presidency unless he is thirty-five. These ages may be taken as the minimum at which a political career starts; two, four, and six years are the usual terms of office; and there is an unwritten law that, after seventy, one should no longer aspire for office.

At seventy, our judges are given an opportunity to retire on half pay, and at seventy even the most eminent statesmen are handicapped by their age if aspirants for presidential nomination. Thus it was with Elihu Root, who at seventy-one, and in fine physical condition, sought to be the standard bearer of the Republicans in 1916; Justice McLean, aged seventy-one, at the Republican convention of 1856; Daniel Webster, aged seventy, at the Whig convention in 1852, and Henry Clay, aged seventy-one, at the Whig convention in 1848. None of the great parties has ever nominated a man of seventy or over

for President. Our oldest President-elect was William Henry Harrison, inaugurated at sixty-eight, and next to him, John Adams and James Buchanan, each of whom was sixty-five at the beginning of his four-years term. None of our Presidents has ever celebrated his seventieth birthday in the White House, although Andrew Jackson was seventy March 15, 1837, a few days after his retirement from the Presidency.

Mr. Bryce, who, in *The American Commonwealth*, is considered to express, as a rule, a rather fair and intelligent judgment of our political conditions, says that "a member of the House can seldom feel safe in the saddle. If he is so eminent as to be necessary to his party, or if he maintains intimate relations with the leading local wire pullers of his district, he may in the Eastern and Middle, and still more in the Southern States, hold his ground for three or four Congresses, *i. e.*, for six or eight years. Few do more than this. In the West, a member is fortunate if he does even this. Out there a seat is regarded as a good thing which ought to go round." (Vol. I, ch. lxx).

"No wonder," he remarks, "that when a political career is so precarious, men of worth and capacity hesitate to embrace it." This is chief among the causes which, in his opinion, "keep so much of the

finest intelligence of the country away from national business." (Ch. lviii, "Why the Best Men Do Not Go Into Politics.")

The public life of England is better conditioned for extended political careers. The term of Parliament is seven years, and the cabinet system of government keeps groups of statesmen together in a sort of mutual protective society. So Lord John Russell, Earl Granville, William E. Gladstone, and many others were found intermittently in cabinet positions for thirty years or more. But look at the record of our American cabinets: There are only two instances of a cabinet officer continuing beyond eight years: Albert Gallatin, Secretary of the Treasury (1801-14), and William Wirt, Attorney-General (1817-29). Not even where a very eminent man like Daniel Webster, or James G. Blaine, has gone back for a second time in the cabinet has the usual term of four years been exceeded. England, too, gives us more striking instances of old men in political leadership. Palmerston, for instance, was premier a second time in 1859 when seventy-five, and Gladstone undertook his latest premiership when over eighty-five.

Naturally, we must look, if anywhere, to our Supreme Bench for the more notable instances of extended careers in American public life. Here the appointment is for life, and the judge's longevity is helped by his removal from the hurly-burly of

political contests. Chief Justice Marshall occupied that lofty eminence for over a third of a century. He lived to be eighty-two. His successor, Chief Justice Taney, presided over the bench until he was eighty-seven. Judge Taney's career, from his first election to office in 1800, covered a period of sixty-four years. Other octogenarians of the Supreme Bench were Justice Duvall of Maryland (d. 1844); Justice Nelson of New York (d. 1873); Justice Swayne of Ohio (d. 1884); Justice Strong of Pennsylvania (d. 1895); and Justice Field of California (d. 1899).

The idea of "rotation in office" was born in the stormy days of the Commonwealth as a preventive measure against the development of a ruling oligarchy. It found its way to this country, and was notably approved in William Penn's "Frame of Government." The men of the Revolution had it in their Articles of Confederation that the President of the Colonial Congress could not be re-elected for three years after his term ended. Washington respected the idea in declining a third term. Many of the early State constitutions had limitations on the re-eligibility of certain officials "in order to prevent those vested with government from becoming oppressors." (*Mass. Const.* of 1780.)

But "the Fathers" conceived the idea of rotation in office wholly with reference to elective, and not with reference to administrative or appointive of-

fices. So, from 1780 to 1828, there were scarcely a hundred removals from appointive Federal offices. When rotation in office came to be applied to Federal patronage, the motive was not the old idea of safeguarding popular liberty, but the altogether different proposition: "To the victor belongs the spoils." Wrested to this purpose, the phrase lent itself to the abuses of the spoils system, which more or less troubled American politics for two generations. The Civil Service Reform movement, after a battle of twenty years, finally overcame this evil, and firmly intrenched itself in the law and practice of American politics, both state and national.

We retain in our appointive and administrative offices experience and proven worth. Our departments conserve their enlightening traditions. The expert is made to feel that he is appreciated. He has the incentive of a secure tenure. The young American who desires to train himself for a political career may, therefore, be advised to turn in the direction of the appointive positions.

But in elective and law-making offices, democracy wishes to make its voice heard and its authority respected by frequent changes. Even our constitutions need revision every twenty-five years. We wish to escape a self-perpetuating body of law-makers. In this behalf, democracy would even reach out for that new toy yclept, "the recall." The elder statesmen are sometimes as inhibitory on

progressive propositions as are constitutional limitations. The State is young and wishes elasticity of motion. Old men may be wise in the ordering of their own affairs, but they are not always the best mentors for lusty and progressive States.

The veteran senator or congressman often gets out of joint with his times. The Cavour and Palmerston and Bismarck and Thiers, who led the politics of Europe a generation or two ago, would, if they came upon the boards today, find themselves "voices from the past"—most of the problems of their day being pushed to the rear; and new and unfamiliar issues, now the topics of discussion in parliament and cabinet.

After our late Civil War, a whole school of statesmen, who had led public opinion in the North since 1850, found themselves adrift as to the new questions uppermost. Wholly absorbed in the great moral issues of slavery, they were unable to take a like interest in the purely administrative questions that supervened.

The Duchess of Argyle wrote to Charles Sumner: "Do you remember that you never can be engaged in a great cause again, where right and wrong stand face to face, as they did in the anti-slavery fight? In most human struggles they are much mixed together." Charles Sumner did not heed this advice. He went into the new political contests that followed the war as if they were Homeric battles—all the

good on one side and all the evil on the other. The result was that he lost touch with practical politics, and, in 1872, his own party, wherein he had been a great leader, was obliged to unhorse him.

## CHAPTER XXIV

### THE DEMOCRATIC EPOCH

#### *More Recent and Revolutionary than Commonly Recognized*

#### I

WE, who are accustomed to speak of England as the land of free institutions and representative government, do not always realize that Magna Charta, and Hampden and Pym and Chatham and Burke, were the glories, after all, of a very limited sort of democracy. England, up to the reign of Queen Victoria, was substantially a government by an oligarchy and for an oligarchy, rather than a government by the people and for the people.

Look at the facts: In 1830, out of a population of fourteen millions, there were only 400,000 men qualified to vote in England, and only 100,000 of these had a chance to vote, inasmuch as five-sevenths of the members of Parliament were selected by patrons, mostly noble landlords.

If, at that time, on an appeal to the country, there were a hundred contested seats in a general parlia-

mentary election, it was considered a hot contest. In the parliamentary election of 1818, the total number of votes cast in all Scotland was only 3,000.

That ancient law writer, Selden, tells us that, prior to Henry VI (1432), manhood suffrage prevailed in England, but on the plea of avoiding electoral riotings and disorders, a property qualification was then enacted; and the 40-shilling freeholder requirement was maintained unquestioned through the centuries.

The Reform Bill of 1832 was remedial more as a redistricting measure than as a suffrage extension or a democratic development. It increased the number of voters from one-thirtieth of the population to one-twentieth of the population; that is, from 400,000 to 600,000.

In 1867, England further extended the franchise, but still maintained the property qualification. It is estimated that by this reform the number of voters in the rural districts was doubled. The increase was still larger in the cities, where even prosperous workmen might now vote. In 1885, a still more sweeping reform was made, which trebled the vote of England and made her at last a real democracy. The property qualification, however, was not wholly eliminated even by this reform bill.

France, despite the untamed idealism of her great Revolution, was in 1830, even more backward than England in practical democracy. There was a

property qualification, which reduced the legal voters in France to less than 250,000 even after the "reforms" of 1832.

The Republic of 1848 decreed universal manhood suffrage. Its first trial was rather disappointing to the Republicans and anti-clericals of that epoch. The village curés proved unexpectedly influential with the new voters and nearly two-thirds of the first constitutional assembly elected was anti-Republican. Later on (1850), when Louis Napoleon resolved on a plebescite or referendum to extend his personal power, 7,500,000 Frenchmen voted "aye" and only 650,000 "no." France never went back on the manhood suffrage policy of the republic of '48. She is a democracy, in that degree, to this day.

As in the case of England, so in the case of the United States, we forget, in our admiration for the wisdom of the Fathers, that what they established was practically only a limited democracy.

Property qualifications were required as a condition for the exercise of the suffrage in all the original thirteen States, and the new wave of democracy was so stubbornly resisted that not until 1865 did the last of these States (South Carolina) abolish this form of suffrage restriction.

The newer States (Kentucky leading the way), for the purpose of attracting immigration, established manhood suffrage. From 1820 to 1850,

hard-fought battles to wipe out freehold suffrage and establish manhood suffrage were waged in the older States. At first, these movements, met with defeat because the Fathers and the Framers, the venerable sires of the Revolutionary and constitutional days, were actively adverse. Thus, in 1820, Adams, Story, and Webster threw the weight of their influence against manhood suffrage in Massachusetts. They argued that property was the basis of the commonwealth. The same year, in New York, Chancellor Kent, Rufus King, and Martin Van Buren fought the extension of the suffrage. In 1830, nearly 80,000 white men were excluded from voting in Virginia by reason of an exacting property qualification. They sought redress, but Madison and Monroe came out of their retirement and joined forces with Tyler and Marshall in resisting the petition. The argument was: "If universal suffrage were adopted, the many might not sufficiently respect the property rights of the minority." It was not until 1836 in New York, and 1850 in Virginia, that manhood suffrage prevailed.

Not until 1871 did the Germanic peoples exercise manhood suffrage, and then many traces of property and privileged voting remained, especially in Prussia. Spain adopted universal suffrage as late as 1890; Italy somewhat earlier, after the example of France, but with many limitations, against which there was a steady agitation.

## II

Men of the modern democratic State, having prized the right to vote sufficiently to struggle for it and finally win it, thereupon proceeded to so regulate it that their victory should be no barren one—that the voice of the democracy should enjoy freedom to register itself as against all the pressures of force and fraud that early sought to interfere with manhood suffrage.

Bribery was the oldest as well as the most devious and difficult of these enemies of electoral purity. Fraud, in various forms, also encompassed the new experiment.

In the first draft of the English Reform Bill of 1832, there was a provision for a secret ballot; and O'Connell strongly supported this feature, seeing in it a remedy against landlord intimidation in Ireland. The secret ballot provision, however, failed of enactment, although a provision for the registration of voters was left unchallenged in the new law. Not until 1872 did England adopt the secret ballot.

This is now the regular method of voting throughout Europe. In America, ever since colonial times, voting by ballot was the usual method; and most of the States have constitutional provisions so requiring.

For the last fifty years of the nineteenth century, much of the discussion relating to the moralities of

politics have had to do with guarding the purity of the ballot box. Public sentiment was always for fair play; but the emulations of parties put a premium on electoral trickery. Reform awaited and sought devices and practical expedients for insuring electoral integrity. Such abuses as "repeating," impersonating dead or removed voters, stuffing the ballot box, intimidating the voter, or tricking him with defective ballots, split tickets and tickets wrongly headed, formed the burden of complaint at every close election by the defeated candidates and their supporters, in the press and on the rostrum. Here is a story, which, if not true, is well invented, as illustrating somewhat the way elections were conducted before registration laws were enforced:

"Senator Stewart once told me about an election in one of the cities of Nevada," said ex-Congressman Foran." According to the Senator, it was getting near time for the polls to close, when a leader asked one of his lieutenants whether all their men had voted.

"'All but the stiffs,'" was the reply of the man addressed; and immediately the dead men were allowed to vote. Things went on for a while without interruption, when suddenly, upon the calling off of a name, some one on the other side arose and exclaimed, 'Mr. Judge, I challenge that vote.'

"'Well, what's your challenge?' was asked.

"'Well, sir, judge, that man died in the Twelfth

ward and he has no right to vote in the Third ward.'

"You see," said Mr. Foran, "the right of dead men to vote was recognized, but it was insisted upon that they should vote in their own wards."

The registration of voters was the earlier reform. It now prevails, especially as respects the cities, in nearly every American State.

Ballot reform came next. In 1852, South Australia adopted the plan of printing names of all candidates on an official ballot, a copy of which ballot was issued by the inspectors to each voter, and marked by the voter, under conditions securing privacy and secrecy, and making bribery, intimidation or trickery difficult. A movement for the adoption of the Australian ballot was set afloat in the United States in 1887; and today, that method is followed in all the States except North and South Carolina and Georgia. As a means of preventing fraud or error in the count, the voting machine is the newest device. It was first used in 1890. In a few years, more than a dozen States had authorized its use.

### III

Alexander Hamilton, in the deliberations of the convention which framed the Constitution, said:

"All communities divide themselves into the few and the many. The first are the rich and well-born;

the other the mass of the people. . . . The people are turbulent and changing; they seldom judge or determine right. Give, therefore, to the rich and well-born, a distinct permanent place in the government."

This now appears to be un-American doctrine. The more democratic views of the Jeffersonian school subsequently prevailed in American politics and the Federalist party, which was more or less infused with the Hamiltonian spirit, disappeared. In the course of the next generation, the Jeffersonian democracy itself failed to be sufficiently democratic for masses of the American people. The "Jacksonian democracy" came into power on a platform in those days regarded as more levelling than even the principles of the Nonpartisan League were later regarded.

There have been several subsequent political evolutions of the same kind. Each radical and populist departure, after it achieves power and office, tends to become conservative. A new radicalism and a new populism must arise to execute or to oust the old radicalism, gone to seed. This sort of evolution, doubtless will continue in the cycles and centuries to come.

It remains true, however, that without any constitutional or statutory warrant, the rich and well-born still have a permanent place in the government and that the masses are often not on an equal plane

with them. Even if the purity of the ballot box be absolutely safeguarded, the integrity of the representative elected may still be tampered with.

It is well for us, in these stirring times, when progressive politics so lauds the direct primary and the referendum, to distinguish between "pure democracy" (which is fundamental), and "representative democracy" (which is derivative).

The New England "town meeting" is an instance of pure democracy. Once a year, all the voters of the town meet to levy taxes, appropriate money, and elect town officers. They discuss and vote on these matters. Representative democracy is a further evolution, due to the larger territorial unit to be governed. The people elect agents or representatives to legislate for them.

In Revolutionary days an American orator said: "Eternal vigilance is the price of liberty." The present-day application of this remark is very largely with reference to the power of wealth in legislation, the power of wealth even in the administration of laws designed to favor equality, the undue influence of capitalism and commercialism upon the press and public opinion of the country. Without being "given" a distinct and permanent place in the government, the rich and the well-born have "taken" such place. It is inevitable that they will take such place; but the forces of democracy must check those

acts and tendencies which constitute an inordinate exercise of plutocratic power over the affairs of governments.

Now, the present movement in American politics is largely a movement to correct the evils that have come into representative democracy; and the recourse is to certain measures of pure democracy. Thus, the direct primary election does away with the delegate convention, the latter having come to be too much manipulated by bosses and interests against the wishes and the welfare of the masses. And the referendum is a means by which the people, as a body, may command or advise recalcitrant legislators and oblige them to be more truly *en rapport* with the masses.

As to these matters we may say, unreservedly, that the idea is good and the expedients well worth perfecting. The best thought in American politics is with the progressive movement. Yet there is danger of overdoing the reform. Representative government is the better system. It needs correctives, but before perfecting these, we shall not escape much of demagoguery and mobocracy.

#### IV

The epoch of universal suffrage may be said to have begun only within the memory of living men and women (since 1875). We can already estimate its drift. It is not the mere substitution of one kind

of political machinery for another; its effects are far-reaching in the social and economic order. Benjamin Kidd (*Western Civilization*, ch. X) for instance, speaks of universal suffrage as a "revolution," "the significance of which underlies all existing controversies as to the organization of society and under the prevailing distribution of wealth."

Let us briefly note some of its tendencies:

1. The new drift of legislation shows greater respect for life and health, and less respect for property and vested interests. As an illustration, compare the grist of laws enacted by an American State legislature in any year of this new century with the laws of one of the parliaments of George III. The former are concerned with factory and tenement regulation, in the interest of life and safety; the latter with penalties against poachers and trespassers.

2. The new drift is more in the interest of the masses, even to the extent of being prejudicial to the interest of the classes. We laugh today at the sentiment that prompted the fervid lines of Sir John Manners:

"Let wealth and commerce, laws and learning die,  
But leave us still our old nobility."

*Per contra*, "the greatest good of the greatest number," is the justification advanced by all present-day legislative movements.

3. The drift is towards the social, as contrasted with the individualistic conception of society. Americans have quite generally given up the Jeffersonian maxim: "The government that governs least, governs best." Local self-government has become a program of multiplying municipal functions. Government exists not merely to preserve public order, but to furnish public service of all kinds.

4. In the industrial world the drift of things is to give labor more advantages in its contracts and conflicts with capital. Less than a hundred years ago, trade unions were hardly legal: today trade unions have a commanding place in the halls of legislation; while trusts, the combinations of capital, are close to outlawry.

5. In the sentiment for co-operation rather than competition there is however, a different policy, with which much that now savors of warfare in the industrial world must be harmonized. The conservation movement, which opposes the exploitation of the natural increment by the few, is also a significant awakening of democracy to its duty of guarding not only the public's interests of today, but posterity's interest tomorrow.

6. That great enginery of peaceful revolution, Taxation, is being estimated in its true importance by the voting masses. The graduated inheritance tax, for instance, which most modern States have

adopted within the past thirty years, virtually makes the public a preferred legatee to the extent of one-tenth of the estate of every millionaire who dies. So conservative a people as the English have, by the enactment of recent measures, empowered the assessor to go after the unearned increment of land upon every transfer thereof; thus establishing a precedent of large possibilities. The stability of vested interests is now seen to consist not in coming to the rescue of the great landed proprietor, but in multiplying the number of the small proprietors and doubling the number of depositors in the savings bank.

7. Universal education is a corollary of universal suffrage. The electors must be intelligent, or universal suffrage will be something of a travesty. But, aside from this, education is esteemed for its own sake as an uplift for the manhood and womanhood of the nation; from the moral standpoint, yielding them more out of life, and from the economic standpoint making their labor more productive. Education, in fact, is almost a fetich of this democratic age.

Less than a century or so ago, illiteracy was the common condition of the masses in Europe. After the French Revolution, popular education came gradually to be a policy of all governments, some nations seeing the light earlier and using more energetic measures than others. Prussia was the fore-

runner, the nations of Southern and Southeastern Europe catching the inspiration much later. But all are now in the race for the elimination of illiteracy as a national disgrace.

Although, as far back as 1828, Lord Brougham had said: "The schoolmaster is abroad, and I trust to him, armed with his primer, against the soldier in full military array," England's public school system was not established until 1870. Italy was not able to throw herself with energy into the work of universal education until much later; and Spain and Portugal, only within very recent years.

8. A sentiment against warfare is an inevitable consequence of universal suffrage. Those who bear the costs and sorrows of war do not vote for war. Peasants are no longer breeding sons for the armies of kings. For over forty years—after 1871—Europe (outside of Turkey) had had no bloody battlefield—a record of peace unequalled since the days of Julius Cæsar. Although a great war broke out in 1914, it was not a war of the peoples, but a war of the militarists and the diplomats, the last frenzy of a passing régime. We are surely coming under the sway of forces which will make for permanent peace.

## CHAPTER XXV

### THE RANK OF AMERICAN CITIES

#### *And the Rivalries of Past Decades*

WHEN Washington was President, Philadelphia and New York had about the same population that Kalamazoo and Oshkosh have today. In the census of 1790, Philadelphia ranked first of American cities, with 42,000 people; New York, second, with 32,000; Boston, third, with 18,000; Charleston, fourth, with 15,000, and Baltimore, fifth, with 13,000. In the census of 1800, Philadelphia continued to rank as first, with a population of 69,403; New York, second, with a population of 60,489; Baltimore, third, with a population of 26,114; Boston, fourth, with a population of 24,937; Charleston, fifth, with a population of 20,473. (It is proper to say that authorities differ somewhat on these population figures, though not on the rank given the respective cities. We have followed the population figures of Prof. A. B. Hart.) In the census of 1810, the previous ranking was maintained without change.

In the census of 1820, New York displaced Phila-

delphia as our first city in point of population; and New Orleans enters the list as the fifth city of the Union, Charleston showing very slight growth in population, and thereafter falling altogether out of the list of our large cities.

New York's population in 1820 was 123,706, Philadelphia's 119,325. Here, apparently, was so close a rivalry that Philadelphia might hope to recover her rank. But the opening of the Erie Canal in 1825 was so decisive a circumstance in New York's favor that future rivalry was impossible. New York, multiplying her advantages, had, in 1840, a population of 312,710, leaving Philadelphia an hundred thousand behind. New York continues to be "the largest city," says Prof. Hart, "because she has the largest opportunities." Meanwhile Baltimore, which, during colonial days, was a village compared with Boston, managed to retain until 1880 the lead she had gained in 1800 over the Massachusetts metropolis. But since 1880, Boston has out-ranked Baltimore.

From 1830 until 1870 inclusive, the rank of American cities was as follows:

| 1830         | 1840         | 1850         | 1860         | 1870         |
|--------------|--------------|--------------|--------------|--------------|
| 1-New York   | New York     | New York     | New York     | New York     |
| 2-Phila.     | Philadelphia | Philadelphia | Philadelphia | Philadelphia |
| 3-Baltimore  | Baltimore    | Baltimore    | Brooklyn     | Brooklyn     |
| 4-Boston     | New Orleans  | Boston       | Baltimore    | St. Louis    |
| 5-N. Orleans | Boston       | Brooklyn     | Boston       | Chicago      |
| 6-Cincinnati | Cincinnati   | New Orleans  | New Orleans  | Baltimore    |
| 7-Washington | Brooklyn     | Cincinnati   | St. Louis    | Boston       |

|               |            |            |            |             |
|---------------|------------|------------|------------|-------------|
| 8-Brooklyn    | Washington | St. Louis  | Cincinnati | Cincinnati  |
| 9-Newark      | Louisville | Albany     | Chicago    | New Orleans |
| 10-Louisville | Buffalo    | Pittsburgh | Buffalo    | San Fran.   |
| 11-           |            | Louisville | Newark     | Buffalo     |
| 12-           |            | Buffalo    | Louisville | Washington  |
| 13-           |            | Washington | Albany     | Newark      |
| 14-           |            | Newark     | Washington | Louisville  |
| 15-           |            | San Fran.  | San Fran.  | Cleveland   |
| 16-           |            | Chicago    | Pittsburgh | Pittsburgh  |

New Orleans and Cincinnati appear (1830-40) as promising rivals for high rank among America's large cities. New Orleans, in 1840, pushed aside Boston and ranked as our fourth city. In 1870, Cincinnati permanently outranked New Orleans, but meanwhile both cities were sinking to lower places in the ranks. Two more brilliant rivals had appeared on the western horizon: St. Louis and Chicago.

The rivalry between these cities was determined by a great struggle for railway facilities. One American historian (Prof. Dodd, in his *Statesmen of the Old South*) maintains that this rivalry brought on the repeal of the Missouri Compromise, that fateful stroke in our politics which hastened the Civil War. The major object of Senator Douglas in championing this measure was to win Southern support for his Pacific railway scheme, which favored Chicago as against the scheme of Jefferson Davis, who would make St. Louis the eastern terminus of the Pacific road. Chicago, at any rate, beat St. Louis in the railway game, and so, after the census of 1880, we find her regularly outranking the Missouri metropolis.

The following is the ranking of our leading cities in more recent census years :

| 1880           | 1890         | 1900         | 1910         | 1920         |
|----------------|--------------|--------------|--------------|--------------|
| 1-New York     | New York     | New York     | New York     | New York     |
| 2-Phila.       | Chicago      | Chicago      | Chicago      | Chicago      |
| 3-Brooklyn     | Philadelphia | Philadelphia | Philadelphia | Philadelphia |
| 4-Chicago      | Brooklyn     | St. Louis    | St. Louis    | Detroit      |
| 5-Boston       | St. Louis    | Boston       | Boston       | Cleveland    |
| 6-St. Louis    | Boston       | Baltimore    | Cleveland    | St. Louis    |
| 7-Baltimore    | Baltimore    | Cleveland    | Baltimore    | Boston       |
| 8-Cincinnati   | San Fran.    | Buffalo      | Pittsburgh   | Baltimore    |
| 9-San Fran.    | Cincinnati   | San Fran.    | Buffalo      | Pittsburgh   |
| 10-N. Orleans  | Cleveland    | Cincinnati   | Detroit      | Los Angeles  |
| 11-Cleveland   | Buffalo      | Pittsburgh   | San Fran.    | San Fran.    |
| 12-Pittsburgh  | New Orleans  | New Orleans  | Milwaukee    | Buffalo      |
| 13-Buffalo     | Pittsburgh   | Detroit      | Cincinnati   | Milwaukee    |
| 14-Washington  | Washington   | Milwaukee    | Newark       | Washington   |
| 15-Newark      | Detroit      | Washington   | New Orleans  | Newark       |
| 16-Louisville  | Milwaukee    | Newark       | Washington   | Cincinnati   |
| 17-Jersey City | Newark       | Jersey City  | Los Angeles  | New Orleans  |
| 18-Detroit     | Minneapolis  | Louisville   | Minneapolis  | Minneapolis  |
| 19-Milwaukee   | Jersey City  | Minneapolis  | Jersey City  | Kansas City  |
| 20-Providence  | Louisville   | Providence   | Kansas City  | Seattle      |

Here are exhibited other interesting rivalries; one of the longest and closest, as indicated by the census returns, being that between Detroit and Milwaukee:

| Census of | Detroit | Milwaukee |
|-----------|---------|-----------|
| 1860      | 45,619  | 45,246    |
| 1870      | 79,577  | 71,441    |
| 1880      | 116,347 | 115,587   |
| 1890      | 205,879 | 204,468   |
| 1900      | 285,704 | 285,315   |
| 1910      | 465,768 | 373,857   |

In the decade 1900-10, a new industry, automobile manufacturing, put Detroit permanently far

beyond the rivalry of Milwaukee, entering her, in fact, as a future rival of the ancient city of Baltimore. In the census of 1920, Detroit springs into fourth place, passing both Baltimore and Boston.

Pittsburgh and Buffalo have led each other a merry race during the last half century. Pittsburgh was ahead of Buffalo in 1850. Buffalo distanced Pittsburgh in 1860 and 1870. Pittsburgh was again ahead in 1880; but in 1890 and 1900, Buffalo outranked Pittsburgh, only to give place both to Pittsburgh and Detroit in 1910, and falling two places lower in 1920. Cleveland in 1870, was five places below Cincinnati, next below in 1890, six places above in 1910, and eleven places above in 1920.

The drift of population towards the cities is a nineteenth century phenomenon and world-wide in its operation. Four-fifths of London's growth belongs to the past century. Berlin, for many decades, has grown more rapidly than New York. Paris is four times as large as it was in 1800. Rome has doubled its population since 1870.

Classing as such, all those who live in towns of 8,000 or more, the urban or city population of the United States was only 4 per cent of the whole in 1800, 8 per cent in 1840, over 22 per cent in 1880, and 33 per cent in 1900. The present method of the Census Bureau is to classify as urban population all those who reside in towns of 2500 or over.

Under such classification, the urban population was 36 per cent in 1890, 40 per cent in 1900, 46 per cent in 1910 and 51 per cent in 1920. At present half the population of the United States is urban, where a hundred years ago, less than one-tenth was urban. Since our first census the city population has increased ninety-fold, while the rural population has increased ten-fold. The urbanization of populations is going on all over the world. A majority of the French and the Germans reside in cities, and nearly 80 per cent of the English are city folk. During the past forty years, while the total population of the United States has doubled, the city population has trebled.

In 1850, only six American cities had a population of 100,000 or over; in 1860, nine, in 1870, fourteen, in 1880 twenty, in 1890 twenty-eight; in 1910, fifty; in 1920, sixty-nine.

One hundred American cities had an average growth between 1910 and 1920 of over 37 per cent, and twenty-five of these, an increase of over 100 per cent. The more marked increases were attributed to the development of automobile manufacturing (in the case of Detroit and ten other cities); to oil and gas (a mushroom growth); and the steel industry under war demands stimulated the growth of eighteen cities. The inclusion of thriving suburbs doubled the population of nearly ten cities.

The growth of cities is on the outer ring, the

suburbs. The older portions of large cities eventually decline in population. Paris proper shows such a loss in the last decade. London city had 4,551,000 people in 1911 and 4,521,000 in 1921. Old New York, that is, Manhattan Island, at her present rate of decline, will have 50,000 fewer population in 1930 than she had in 1920.

The city of recent generations has changed its attitude toward the country. Back in the Middle Ages, cities were walled about and had barred gates, virtually telling all outsiders to "keep off the grass." We modern city people have thrown down the city walls and made good wide roads leading from the country into our broad streets and spacious squares. We have, so to speak, put door mats out along the outskirts, with signs of "welcome" for the country trade. The city gates of the modern metropolis are its railway stations, which bring the traveler right into the city's heart, where he is warmly greeted by vociferating taxis and clanging trollies.

We are now in the age, not alone of cities, but of "urban districts." When men had to walk to their work, cities could not have a radius of over four miles and the population was densely packed. The density of the population of London, in 1801, was twice as great as it is today. When the horse car came into use the city's radius was increased to eight miles.

But now that we have a rapid development of suburban transportation, a city's radius can be extended thirty miles. One may live in Waukegan, or in Kenosha or Racine, and do business in Chicago. Greater New York, as an urban district, comprises six counties and portions of three States, and has a population of nearly seven million. We ought to realize that, just as machinery brought about great industrial changes, so the development of suburban transportation is working a great social and business revolution. It is evitable, and we must adjust ourselves to it; but it is going to make for the betterment of us all, both metropolitan, suburban, and country folk.

## CHAPTER XXVI

### OUR LIVELIER PRESIDENTIAL CAMPAIGNS

*From 1840 to 1916*

#### I.—“TIPPECANOE AND TYLER TOO”

THE presidential campaign of 1840 is still regarded as the most rousing in our political annals. It began with the nomination of Harrison and Tyler by a Whig convention at Harrisburg in December, 1839. The excitement thus had an early start.

The method of nominating by party conventions had come into general vogue during the thirties. The earlier method of nominations by congressional caucus not only lacked the sanction of a popular referendum, but it was fundamentally wrong as trenching on the independence of one of the co-ordinate branches of our government: it made the executive, in a sense, a creature of the legislative power. The new democratic energy that came into the life of the nation under Andrew Jackson, together with improved facilities of travel, made the nominating convention inevitable; and, of course, it brought the functioning of choosing a President

closer to the people—"fresh from the people," as Andrew Jackson urged.

At the very outset of the campaign a Democratic paper remarked that Harrison would be "more at home in a log cabin drinking hard cider and skinning coons than living in the White House as President." This chance remark determined the character of the ensuing canvass. The Whigs found in it the emblems and the suggestion of their campaign. All over the country log cabins went up as the headquarters and rallying places of the Harrison forces. A barrel of hard cider stood at the door and a coon skin ornamented the entrance. Long before Van Buren was nominated at Baltimore, in May, 1840, the Whigs had their log cabin campaign well under way.

Such processions, such mass meetings, such singing, such poetry, such doggerel, such shouting, such rude jollity and crude frolicking the country never saw before nor since. The favorite Whig song (to the tune of "The Little Pig's Tail") had the remembered chorus:

"For Tippecanoe and Tyler too—Tippecanoe and  
Tyler too;  
And with them we'll beat little Van.  
Van is a used-up man;  
And with them we'll beat little Van."

In October, 1840, when Harrison spoke at Day-

ton, Ohio, 100,000 people assembled, covering ten acres of ground. Monster meetings of 50,000 and 80,000 people gathered on other occasions. The Democrats had entered the campaign, feeling confident that their party, so long in possession of the government, could not be dislodged, but as the month of November approached, they became alarmed at the signs; the state elections in Maine and Kentucky went against them, and later in October they were defeated in Ohio and Pennsylvania. The electoral vote was 234 for Harrison to 60 for Van Buren. Yet the popular vote was quite close: Harrison, 1,275,016; Van Buren, 1,129,102.

The hard times of 1837 prepared the way for the Whig victory of 1840. Harrison and Tyler were placed in nomination without a platform. The ticket attracted all the opposition elements. The Democrats enunciated a platform of principles and policies. This was the honest and logical thing to do; but the Whig proceeding was more adroit. They suffered for it later when, upon the death of Harrison, Tyler, who now became President, vetoed the fiscal bill sponsored by the party that had elected him. They had chosen a President on the Whig ticket, but on the Democratic platform.

## II.—ENTER THE REPUBLICANS

Charles A. Dana, who was a voter in 1840 and active in the campaign of 1856, gives it as his im-

pression that, for genuine inspiration, the campaign of 1840 "could not hold a candle" to the campaign of 1856. The historian of the epoch, Rhodes, is content to say that, for enthusiasm and excitement, the campaign of 1856 surpassed any since 1840. The jollity of 1840 gave way to the gravity of 1856. The moral sense of the nation was never more deeply stirred.

The conditions for a rousing presidential campaign are: (1) a new alignment of voters: (2) a clear-cut and important issue, and (3) an even chance for the contending parties. The first two conditions certainly existed in 1856; and there was every indication, especially to the Republican mind, that the contest would be close. In the Pennsylvania State election, October, 1856, 423,000 votes were cast and the Democratic ticket won by only 3,000 votes. The campaign had the appearance of a solid North ranging itself against a pro-slavery South. In the November election, the Democrats lost ten Northern States that their candidate, Franklin Pierce, had carried in 1852. Whittier sang:

"If months have well-nigh won the field,  
What may not four years do!"

The "Tippecanoe and Tyler too" campaign was a frolic. The Fremont campaign was a strenuous, argumentative and deeply earnest affair. The in-

telleet of the North ranged itself openly, as never before or since, on the side of a political party. Washington Irving, Lowell, Whittier, Emerson, and nearly all the literary lights of the North, were in the campaign on the Republican side. On the Sunday night before election, Beecher and Chapin, in their churches, delivered downright political harangues. There was a great outpouring of the people at political meetings. The name and achievements of Fremont exercised a wonderful influence on the imagination of the masses. Party yells, ("Free speech, free soil, Fremont") and the "staccato cheer" characterized this campaign. The torchlight procession now had its beginning.

On the Democratic side (as one who reads Forney's *Recollections* will see), there was like activity, and perhaps greater political skill. The appeal was to the business element of the North, arguments quite persuasive at the time with the great commercial houses of New York and Philadelphia. Both cities were carried by Buchanan.

Though the campaign of 1860, which brought the Republicans into power, was immeasurably important in its issues and results, it was not an exciting canvass. The *New York Evening Post* remarked on its calm and quiet. The *World* regarded it as "the tamest presidential election" since Monroe's time. Greeley said it lacked the noise of previous campaigns. Perhaps this was because its outcome

seemed scarcely in doubt. The division of the Democratic party gave the Republicans a sure thing. They were sanguine and jubilant. The Democrats were discouraged and dejected.

The original and popular feature of the campaign were the "Wide Awake" marching clubs of the Republicans. These originated at Hartford, Conn., where Cassius M. Clay came late in February, 1860, to address a meeting, and he was met by an escort troop of young Republicans bearing torches and protecting their clothes by glazed capes. The idea spread, and large torchlight processions bearing transparencies proclaiming various sentiments, made the campaign interesting in every American city. The Democrats, not to be outdone, carried out the same idea with organizations known as "Douglas Guards," "Little Giants," etc.

The torchlight procession continued a feature of our presidential campaigns until 1892, when it was quietly laid aside by all parties.

### III.—AN ERA OF CLOSE ELECTIONS

The Republican party had accomplished its original mission of putting down slavery, saving the Union and carrying through a reconstruction policy, the hard times of 1873 had come and the "whisky ring" disclosures had reflected on the administration; so that in 1874 the congressional elections

strongly favored the Democratic party. For some twenty years thereafter we enter upon a period of close presidential contests, as shown by the popular vote :

|       |                  |           |
|-------|------------------|-----------|
| 1876. | Tilden (Dem.)    | 4,285,992 |
|       | Hayes (Rep.)     | 4,033,768 |
| 1880. | Hancock (Dem.)   | 4,444,952 |
|       | Garfield (Rep.)  | 4,554,416 |
| 1884. | Cleveland (Dem.) | 4,874,986 |
|       | Blaine (Rep.)    | 4,851,981 |
| 1888. | Cleveland (Dem.) | 4,540,329 |
|       | Harrison (Rep.)  | 4,439,853 |
| 1892. | Cleveland (Dem.) | 5,556,543 |
|       | Harrison (Rep.)  | 5,175,582 |

In the election of 1876 the Democratic party evinced a new vigor. Its cry was "Reform is necessary." The people had grown somewhat weary of the bloody shirt appeal. The Republicans were thrown more on the defensive and their candidate was a "dark horse," who had to be introduced to the country. The October elections were, upon the whole, encouraging to the Democrats. Hardly a newspaper of any prominence failed the morning after election to concede the election of Samuel J. Tilden. But partisan fraud deprived him of the electoral votes of Florida, Louisiana and South Carolina. The disputed election was not settled until March 2, 1877, and then by a vote of 8 to 7 of the

special electoral commission appointed to adjudicate the matter. The electoral vote as counted, was 184 for Tilden and 185 for Hayes. It is to be hoped that so severe a trial of the patience of any body of American voters will never recur.

The campaign of 1884 was another extremely close contest. Here there was a defection from the Republican ranks known as the Mugwump movement, but a compensatory drift of the Irish vote to James G. Blaine, which, except for the affront of one of his supporters (Burchard) might have carried him into the White House. The campaign was one of fierce personalities. The private life of Grover Cleveland was scandalously attacked and the Mulligan letters were played up against the Blaine candidacy. Grown men kept step in great marching processions to the words:

"Ma, ma, where's my pa?

Never get the White House, ha, ha, ha!"

Thousands of other marchers tramped to the slogan:

"Burn, burn, burn this letter!"

The 36 electoral votes of New York decided the contest; and Cleveland carried the State by 1,149 plurality, or one-tenth of one per cent in a total vote of over 1,200,000.

## IV.—THE FREE SILVER CAMPAIGN

Following the panic of 1893, the congressional elections of 1894 went so strongly in favor of the Republicans (almost two to one), that the saying was they could elect a rag baby as their presidential candidate in 1896.

What changed this situation and brought about a most exciting political campaign and a very doubtful one, at least in the earlier months, was the development of the silver question as the main issue.

The silver element was strong in both parties. What were known as the eight silver States were usually classed as safely Republican. The currency question had been the subject of makeshifts for some twenty years, since the demonetization of silver in 1873. The Sherman Act of 1890 was a Republican compromise measure, intended to hold the support of the silver men. It established a market for the silver mines by providing that the Treasury should buy 4,500,000 ounces of silver every month, and silver certificates should be issued as currency against the stored bullion.

We had an extra session of Congress at the outset of the hard times to repeal this measure as the chief cause of our disordered currency. But the remedy came too late, and the epoch of "tight money" and closed factories and low prices cultivated throughout the West, especially among the

farmers, a belief that the free coinage of silver was a measure of paramount importance.

When the Republicans, at their St. Louis convention in June, 1896, declared themselves "opposed to the free coinage of silver except by international agreement," nearly a hundred delegates, led by Senator Teller of Colorado, bolted the convention. The Democrats meanwhile were wrestling with the same issue. Fourteen States elected gold delegates and thirty-eight States silver delegates to the Democratic convention which met at Chicago July 7, 1896. The platform declared for "the free and unlimited coinage for both silver and gold at the present legal ratio of 16 to 1 without waiting for the aid or consent of any other nation." And by a vote of 564 to 357 the convention refused to commend the administration of President Cleveland. Nearly 200 delegates (mostly from the Eastern States), declined, after the adoption of the silver platform, to participate further in the work of the convention. They formed the nucleus of a bolting party which subsequently put up a presidential ticket of its own (Palmer and Buckner). William Jennings Bryan, the Democratic nominee, was endorsed in quick order by the People's party and also by the National Silver party; and thereupon ensued a campaign of argument, education, and oratory more intensive than any since 1856.

Far from feeling now that they had a sure thing,

the Republicans became really alarmed. They feared that all the States west of the Mississippi were lost to them; and these with the "Solid South," would give Bryan a majority in the electoral college. It was a battle of the big interests (for not only Wall Street, but the banks and the life insurance companies caught the alarm), the organized system, well supplied with money and skilfully guided by the old-time politicians, as against the enthusiasm and emotionalism of free silver orators appealing to a vast deal of popular discontent and impatience over existing evils.

Perhaps never before was there so much political talk wherever men congregated during the mid-summer and fall months. But after the Vermont and Maine elections, late in September, with the greatly increased majorities given the Republican ticket, it was seen that McKinley's election was altogether probable. Bryan made a magnificent speaking tour, covering all parts of the country, addressing great throngs of people and meeting the physical strain of his exertion with remarkable endurance. McKinley contented himself with what the papers called "a front porch campaign," receiving visitors and delegations at his home in Canton, Ohio.

It was the largest popular vote ever cast, nearly two million more votes than at the previous presidential election in 1892. The Democrats failed to

carry a single Northern State east of the Mississippi, and of the Solid South they lost Kentucky and Maryland. They did carry the silver States, Colorado, Idaho, Montana, Nevada, South Dakota, and Washington, and also Kansas and Nebraska. Bryan received 176 electoral votes, McKinley 271.

## V.—THE PRE-WAR ELECTION

Judge Charles E. Hughes was so sure of his election to the Presidency on the night of Tuesday, Nov. 7, 1916, that he formally thanked his committee. Colonel Roosevelt went to bed, expressing himself "delighted" with the result; and all the New York dailies, Democratic as well as Republican, on the following morning moralized, editorially, over the Republican victory. Not until three days later was the election of Wilson generally conceded.

It had not been a close battle in the popular vote, —Wilson led Hughes by half a million; but Hughes had 254 electoral votes to Wilson's 277; and the latter's slight majority of 23 had been won by such slender pluralities in several normally Republican States that the disappointment of the defeated party was grievous. Thus, if California had given her 13 electoral votes to Hughes rather than to Wilson, Hughes would have been elected. Wilson carried this usually Republican State by only 3,700. At the same time California had elected Hiram Johnson

(Rep.) to the United States Senate by over 200,000 majority. It seems that here and in several other far-Western States the break of 1912 with the progressive Republicans had not been entirely healed; the "stand pat" State committees were needlessly offensive and impolitic. Kansas also elected Capper (Rep.) governor by 100,000 majority, but gave its electoral votes to Wilson by a plurality of 37,000.

The campaign had been neither lively nor sensational. It was free from personalities and no dominant issue had been developed. Hughes lost because he proved everywhere weaker than his party, and Wilson won because, in the West especially, he was altogether stronger than his party.

Just as from 1874 onward, the drift of the independent vote had been towards the Democratic party, so after 1894 this drift had reversed itself. There were no close nor exciting elections after that of 1896. The Republican predominance in the popular vote grew from half a million in 1896 to 860,000 in 1900, and 2,500,000 in 1904 (due to Roosevelt's great personal popularity). Taft's plurality over Bryan was 1,700,000 in 1908. The divided Republican vote in 1912 totaled 7,609,000 as against 6,286,000 for Wilson. The country was rather prepared to see a Republican victory in 1916.

The contrary result was due to a surprising revolution in the political alignments which had pre-

ailed for a generation. The far-West now united with the South to overcome the East and the Central West. It was a sectional alignment without a sectional issue. Of the twenty States west of the Mississippi all but four were carried by Wilson. Of the entire North, east of the Mississippi, all but two States (Ohio and New Hampshire), voted for Hughes. For once, as went New York the Union did *not* go.

Ten of the twelve woman suffrage states were carried by Wilson, and this re-inforced the impression that the slogan, "He kept us out of war," was the most influential factor in his re-election. His friendship towards labor perhaps explains his victory in Ohio, but the Adamson Act was not upon the whole, a favorable card. His capture of the agrarian West, however, was an unmistakable coup; herein the prevailing high prices for farm products, due to the war, was a Democratic advantage.

The *Outlook*, in discussing the results argued that the far West had thought more of material advantages than of our rights upon the high seas and the security of commerce, these latter considerations being closer to the heart of New York and New England. Another Eastern paper entitled the issue, "Pacifism vs. Patriotism." Perhaps something of this persists in the conflict between the motives of nationalism and internationalism, which divides American opinion on the League of Nations. The

pacifists now stand for nationalism as against internationalism. And the Republican party may design to win back the far-West by reversing its position and considering, rather than ignoring the views of the Hon. Hiram Johnson and other "irregulars."

THE END

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